The Metaphysical Ground of Social Ethics

THE ROOTS OF SOCIETY

Third Edition

Joseph M. De Torre

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For information, call (632) 6345874; (632) 6370912 loc. 350 or email
crcfoundationinc@gmail.com;
or veronica.ramirez@uap.asia

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FAMILIS CUNCTIS QUAE EARUM CORDE LARGITATE
APERTAE FONTI MANSERUNT TOTIUS AMORIS
OMNIPOTENTI DEO
IDEOQUE HUMANE VITAE ORIGINEM OBIICERE RENUERUNT
QUAEQUE CIVILIS SOCIETATIS VITALIS CELLULAE MUNERE ITA
OPTIME FUNXERUNT
HOC OPUS DEDICO
UT SANCTAE FAMILIAE NAZARETHANAE PATROCINIO
MAGIS IN DIES FLORESCANT
AD HUMANI GENERIS UNUM VERUM BONUM COMMUNE

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Preface to the Third Edition

Since the publication of this book in 1977, very important Church documents have been issued regarding its topics. Indeed, one of the main thrusts of John Paul II's pontificate has been and is the promotion of Christian humanism which I tried to synthesize and present anew in the first edition of this book, the fruit of my several years of teaching social ethics at the *Center for Research and Communication* in Manila. In 1980, I published *Christian Philosophy* (Vera-Reyes), which is a useful complement to this, while my other book, *The Leaven of the Gospel in Secular Society* published in 1983 (Vera-Reyes), was like a commentary to those developments in the Church.

The promotion of Christian humanism as keynote of Pope John Paul II's teaching is contained in his first encyclical, *Redemptor Hominis* (1979), to which the first five chapters of this book can be referred. Chapter 7 can be referred to the encyclical *Laborem Exercens* (1981), and chapters 8 and 9 to the apostolic exhortation *Familiaris Consortio* (1981). Chapter 6 and the rest of the book are related to the pope's Address to the United Nations (1979).

Aside from these observations, no updating has been deemed necessary for this third edition, given the perennial nature (ethical and ontological) of this doctrine. Only a few minor improvements have been added in the text and in the bibliography.

The Author
Manila, 1 May 1984

Introduction

While general ethics or moral philosophy studies the last end of man, in order to discover his nature and how he ought to live, social ethics (or political ethics) applies this knowledge to the actual social context which corresponds to man by nature. All the vital questions affecting the life of man in society should be the concern of social ethics. But the point is how to approach this matter from the right angle.

It is clear that men are not born as finished products but with an end *(finis)* to accomplish. The freedom of man does not consist in creating his last end but in (i) discovering it by his power of understanding, and (ii) directing himself to it by his own power of decision and action. The study of this last end, and of the means to reach it, is the subject matter of general ethics.

General ethics, however, is necessarily grounded in metaphysics, since to enquire about the end of something is to enquire about the perfection of fulfillment of its being, and being—the depth and height and vast expanse of reality in its unity and multiplicity, beckoning the deepest yearnings of the human intellect for truth and those of the human will and heart for goodness and beauty—is the subject matter of metaphysics, that primordial love of wisdom (or philosophy) which will always be the inborn vocation of *Homo sapiens* despite his recurring flights and prevarications.

In fact, general ethics, as well as social or political ethics, is nothing but the metaphysics of the good, since the good is what everything desires or tends to, namely its own perfection. *Good* is the same as being *as desired,* because every being, in so far as it is real or actual (as distinct from possible or potential), is an end in regard to its previous development, although it may not be yet fully accomplished, or it may not be a wrong end (a dead end), i.e., not the one due by nature. But in any case it is an end, and to that extent it is good. Evil is precisely the absence or privation of a good that ought to be there.

All beings are therefore good to a certain extent, but they are not goodness itself, except in the case of the Being whose essence is *to be* (I AM WHO AM) or the fulness of being, because in this case there is no further end to accomplish: He *is the* End while all other beings *have an end.*

Man is the only material being in the universe who, thanks to his spiritual powers, can know and thereby love God directly, and can refer and direct all other things to God, as Creator and End of all beings. The last end of man is God, and all other things in the universe have man as their end: they are ordained to man, and through man, to God, who is therefore the *transcendent common good* of the entire universe and of all realities whatsoever, although in ascending degrees of participation in being and thereby in goodness.

The metaphysics of the good considers first the ordination of man to God (general ethics), but since man does not live a solitary life but naturally associates with other men, it goes on to consider the ordination of man to God precisely as living in society with other men (social or political ethics), and how to pursue the common good of society, i.e., the *immanent good of order* of society, which consists in its ordination to the transcendent common good, or God.

Furthermore, since in order to live in harmony with one another men must be governed by a *law* that will ensure or facilitate the attainment of the good common to all men, i.e., the happiness of finally possessing God by knowledge and love, the study of the nature of law (legal philosophy, or philosophy of right) is part of social or political ethics.

On the other hand, it is not the task of social ethics to pass a judgment on particular social or political systems, but rather to establish what is necessarily required, taking into account the last end of man, in every particular system. It passes judgment on doctrines, rather than on systems: on the latter only insofar as they are affected by doctrines.

Consequently, there is an essential continuity between moral, social, political, economic, and legal activities. But if the metaphysics of the good is ignored, the essential ordination of those activities to the good as such disappears from sight, and the only end left is man himself, who thus loses his own unity, as well as his community with other men, as no foundation is left for either. The lack of personal unity of life* comes from turning away from God, and its meaning has been corrupted by Hegel, Marx, Nietzsche, Freud, Heidegger and their followers: the modern Gnostics of the man-thrown-there-from-nothing, in search of a liberation other than that from the devil and from sin, i.e., from the rebellion against God.

The fragmentation of modern man (error and evil are divisive, while truth and good are the basis of community) is reflected in the sciences (human knowledge) and in society as the recipient of education. In society, there is both a theoretical and practical separation of morality, legality, political activity, social and economic activity, as well as art and entertainment, and even sports. This is the social repercussion of a dismembering of the different fields of knowledge in education due to the crisis of the all-embracing and unifying wisdom of natural metaphysics and supernatural faith and theology. In such an atmosphere, men become easy prey to manipulation by smarter and mightier exploiters of human dignity acting through all the modern, highly efficient and sophisticated means of social communication, or through the political machinery of the state.

* The inner fragmentation of modern man, dominated or prevailed upon by economic motivation alone, goes hand in hand with his estrangement or alienation that the Bible speaks about: cf. Ps. 57:4, Ezek. 14:7, Eph. 2:12 and 4:18, Col. 1:21.

As Pope Leo XIII pointed out in his encyclical *Aeterni Patris* (1879) on the restoration of Christian philosophy, the development and history of societies is hatched and brewed in the classrooms of philosophy. Thus, this process of disintegration of human knowledge got its first decisive heave with the epoch-making metaphysical blunder of René Descartes (1596-1650) who turned two realities which can only exist *in* another into self-subsistent realities. *Thought* (which can only exist *in* a thinker) became for him the very being of mind and spirit, and *extension* (which can only exist *in* the body) became for him the very being of matter. Thus, in metaphysical terms, he turned these two *accidents* into *substances*, yielding to the human tendency to confuse our concepts with reality, or logic (the order of our concepts) with metaphysics (the order of reality as known by the mind). We may substantivize adjectives for the convenience of our reasoning, like *extension* from *extended*, but that does not make the reality corresponding to the adjective (an accident) capable of existing by itself (like a substance). Logic is based on and grounded in metaphysics, not the other way around. Anyhow, the blunder had now been consummated, and with his mathematical model of "clear and distinct ideas," he proceeded to introduce an unbridgeable gap or dichotomy between those two "realities" (since ideas must be clear and distinct, according to his chosen priority of thought over reality, they cannot fuse or overlap), also neatly cutting across all the other complexities of being.

The development of post-Cartesian ideas was to place all *necessity* on the side of matter, with Newtonian mathematical physics and mechanics claiming to explain the totality of the material universe until its crisis, triggered by Emile Boutroux with his 19th century thesis on the "contingency of the laws of nature," and brought to a climax by Heisenberg's principle of the ultimate indeterminacy of matter. On the other hand, all *freedom* was to be placed on the side of spirit or mind, with the romanticism of absolute idealism in the first half of the 19th century claiming to have reached perfect freedom, until the devastating onslaught of the 19th and 20th century varieties of determinism sinking more and more into materialism: Marxian dialectical materialism, Comtean sociological positivism, Feuerbachian anthropological materialism, Freudian meta-psychologism, Sartrian human despair of freedom itself ("man is condemned to freedom"), as well as logical positivism (with its quantification of logic into symbolic or mathematical logic), linguistic structuralism, and all their chaotic combinations.

Immanuel Kant (1724-1804) made an even sharper dichotomy between "pure reason" and "practical reason" (the famous two *Critiques*), putting all necessity in the former and all freedom in the latter: on the one hand, the necessity of the world of physical phenomena, object of pure reason on its level of "understanding"; and on the other, the freedom of the world of moral choices, object of practical reason. In his third *Critique*, he tried to find the common ground of those two worlds in the subjective "feeling" for the

"beautiful" and the "sublime" wherein, according to him, necessity and freedom would fuse into one. This led to the absolute idealism of Fichte, Schelling, and Hegel.

In the second half of the 19th century, the neo-Kantian schools of Marburg and Baden (Cohen, Natorp, Cassirer, Wiendelband, Rickert), trying to "go back to Kant" after the unsavory offshoot of idealism, repudiated the development of the *Critique of Judgment*, and turned their attention back again to the first two Critiques, making the distinction between *sciences of nature* (object of the *Critique of Pure Reason*, subject to necessity and accuracy: exact or mathematical sciences) and *sciences of the spirit* (object of the *Critique of Practical Reason*, subject to freedom: cultural sciences). Through the development of Nietzsche's vitalism, Dilthey's historicism, and James' pragmatism, these latter sciences (which came to be called as "human sciences" by the French, and "social sciences" in the English-speaking world)" entered into a process of assimilation to the exact sciences of nature, whose accuracy and "objectivity" they tried to emulate, as if mathematical measurement were the sole standard of true knowledge, a supposition leading to, or coming from a materialism that sees only quantity, and is blind to quality.

This is why modern so-called social sciences (historiography, sociology, anthropology, psychology, economics, legal science, political science, linguistics, etc.) are so thoroughly imbued with materialism and incapable of seeing the imponderable factor of human freedom in all their calculations (more and more computerized), consistently twisting mere *trends* in human behavior (often artificially induced by techniques of persuasion) into what they call laws, and exerting a relentless psychological pressure on those trends so as to "confirm" their point, by handling statistical data which, as the saying goes, can prove anything.

In the general framework of these "sciences," morality has been replaced by statistical trends, so-called cultural values (bound to their locality and time), or majority votes: a total collapse of anything stable, a complete substitution of *becoming* for *being*, which is the ultimate metaphysical nonsense, since *change* does not exist in a vacuum—no change can take place without *something* that changes, or in other words, an accident cannot exist without a substantial subject.

I do not mean that these empirical social sciences have nothing to offer to our pursuit of wisdom: they can, as long as they remain just that, empirical, descriptive, indicative, conjectural, modestly admitting that they can (i) neither attempt to be as accurate as the exact sciences of nature (since the unavoidable factor of human freedom is imponderable, and so, they should

use statistics and quantitative ratios as indicative of trends and tendencies, but without undue extrapolations);* (ii) nor let alone claim to become normative for human behavior.

The being of man transcends the purely material (measurable, quantitative) conditions, and is open to the infinity of being and good by his spiritual powers of intelligence and free will. These powers are not a "superstructure" of the material and social conditions, entirely determined by them as Marxism would have it, whether the overt Marxism of official Communism, or the crypto-Marxism of Western agnostic materialism.

Human society is an ordering of men in reference to a common goal. Therefore, any science about man and/or society must be subordinated to the social and political implications of the metaphysical study of being in its aspect of good (social ethics). They always have a moral aspect, since morality is the necessary relationship of every human act (conscious and free) to the last end of man or common good of society. Of course, these social sciences are entitled to their own field of technical competence (this book, therefore, does not enter into any of it), wherein metaphysics and ethics have nothing to say, but they cannot avoid altogether the moral aspect of their studies, since their subject matter is always man.

The title of this book indicates its purpose: to expose the metaphysical roots of the moral being of man and its social and political implications, not only theoretical but practical, i.e., applicable to *all* cases and situations of social living, with the hope that some light may be cast into the confused issues of our time.

The Author
Manila, 1976
Feast of Christ the King

* The sciences of nature are also subordinated to metaphysics, not in their content and methodology but in their ultimate suppositions, like every branch of human knowledge on the natural level; but of themselves they are not related to ethics as the social sciences are.

Chapter 1

Society and the Common Good

What is Society?

Everything in this world seems to be changing. Motion seems to be a universal law, to the extent that ever since *Heraclitus* (6th century B.C.), many philosophers have come to the conclusion that the only thing that is real is sheer becoming, that there is no *thing*, but a continuous process. This mirage continues to haunt 20th century man, but with a compound tale of technological breakthroughs which have intoxicated him into thinking that he is the creator of this changing world, and that the change is always for the better.

That this is a mirage, a hallucination, that outside man there is more than meets the eye, can be shown by the fact that the history of man is by no means always progressive, if one takes as the standard of progress the moral goodness of men and societies. The actual statement that "everything is changing" has such a static and immutable ring about it that not even the most rabid "dynamic" thinker would deny it. Evidently, not everything changes, since then nothing that we say would have any sense whatsoever. This is precisely the specific role of intelligence: to pierce through the changeability proper to matter and to our senses (blindness to the permanent and eternal is nothing but materialism—the corrosive and enslaving crippling of the soul) so as to understand the patterns of development, to disengage the essential from the incidental, to discover the *order* of things, i.e., the *end* to which they tend by their inner dynamics.

It has been said that this would be a case of anthropomorphic thinking, projecting onto things our own way of acting with purpose or intention. But it is rather the other way around: our intelligence first discovers that there is no motion without direction, no action without objective or end; then we see our own (intelligent) way of directing or ordering ourselves, by free choice and design, to ends we set to ourselves; and this will lead our unprejudiced

intelligence to the conclusion that there must be a Supreme Intelligence ordering all things to their respective ends, since ordering to end is again a distinctive role of intelligence.

By discovering the *end* as the perfection of being to which everything tends, our intelligence comes to the understanding of what is *good—quod omnia appetunt*, said St. Thomas Aquinas, "that to which everything tends." Things are not just static beings, but constantly moving towards their fullness of being. A thing is "in good working order" when it is fulfilling its purpose, i.e., tending to its end unhampered and undisturbed; otherwise it is "out of order" or "no good." In a multiplicity of things, there is order when they are all arranged in relation to a common end which unifies them into a totality of order.

In human society there is order, and thereby, progress towards its fulness of being, when all its members tend to their common end or *common good.* This is the stability of society which assures its unfailing progress: the cooperation (i.e. the working together) of all its members united by their love for, or tendency to their common good. The Bible puts it this way:[1]

> "Master, which is the great commandment in the law?
> "Jesus said to him: Thou shalt love the Lord thy God with thy whole heart and with thy whole soul and with thy whole mind.
> "This is the greatest and the first commandment.
> "And the second is like to this: Thou shalt love thy neighbor as thyself.
> "On these two commandments dependeth the whole law and the prophets."

Transcendent Common Good and Immanent Common Good

God is the transcendent common good of society, as well as of absolutely everything that exists, since He is the fullness of being and all other things are participants in being.[2] When our intelligence perceives that everything we see is only a limited actuality always capable of further actuality of being, we come to the conclusion that none of them possesses the act of being from its own essence, and therefore they must have received it from One who is the

1 Mt 22:36-40.

2 "Because just as that which has fire, but is not itself fire, is on fire by participation, so that which has being *(esse)* but is not being *(esse)*, is a being *(ens)* by participation." St. Thomas Aquinas, *Summa Theologiae*, 1, 3, 4.

"Something can be predicated of another in two ways: either essentially or by participation. For light is predicated of an illuminated body as partaking of, or *participating in* it; but were there a separated light, it would be predicated of it *essentially*. Accordingly, being *(ens)* is predicated of God alone, since the divine being *(esse)* is the subsistent and absolute being *(esse)*; but it is predicated of any creature *by participation*, for no creature is its own being *(esse)* but has being *(nulla enim creatura est suum esse, sed est habens esse)*." St. Thomas Aquinas, *Quodlibet*, II, 2, 3.

fullness of being—*Ipsum Esse*, To Be Itself, said St. Thomas Aquinas, who reached this insight through his reading of that other passage of the Bible:[3]

> "Moses said to God: Lo, I shall go to the children of Israel, and say to them: The God of your fathers hath sent me to you. If they say to me: What is his name? What shall I say to them?
> "God said to Moses: I AM WHO AM. He said, Thus shalt thou say to the children of Israel: HE WHO IS hath sent me to you."

But the Bible also calls God "Alpha and Omega," "beginning and end," "first and last."[4] He is not only the beginning of all beings which only partake in the act of being, but also their end. For it is proper to imperfect (participated) beings to be ordained to their end, which is their good or perfection, and in this, there is a subordination or hierarchy of beings in the universe, wherein man is the summit. But God is the very Perfection of Subsistent Being, and therefore He has no end to achieve: He *is* the End, or Good Itself—the Last End.

This is how St. Thomas Aquinas explains it:[5]

> Now, if we wish to assign an end to any whole, and to the parts of that whole, we shall find, first, that each and every part exists for the sake of its proper act, as the eye for the act of seeing; secondly, that less honorable parts exist for the more honorable, as the senses for the intellect, the lungs for the heart; and thirdly, that all parts are for the perfection of the whole, as the matter for the form, since the parts are, as it were, the matter of the whole. Furthermore, the whole man is on account of an extrinsic end, that end being the fruition of God. So, therefore, in the parts of the universe also every creature exists for its own proper act and perfection, and the less noble for the nobler, as those creatures that are less noble than man exist for the sake of man, whilst each and every creature exists for the perfection of the entire universe. Furthermore, the entire universe, with all its parts, is ordained towards God as its end, inasmuch as it imitates, as it were, and shows forth the divine goodness, to the glory of God. Reasonable creatures, however, have in some special and higher manner God as their end, since they can attain to him by their own operations, by knowing, and loving him. Thus it is plain that the divine goodness is the end of all corporeal things.

3 Ex 3:13-14.

4 Apoc 1:8, 21:6 and 22:13.

5 *Summa Theologiae*, I, 65, 2.

If God is the transcendent (beyond it) common good of society, the immanent (within it) common good of society must, therefore, be a social order which empowers every individual in it to attain his or her own perfection, i.e., God, beyond this life and therefore beyond society (earthly society) through the immortality of his or her soul. In other words, what is material (purely earthly) must be for the sake of what is spiritual (transcending the material universe), not for its own sake.[6] And the common good is the supreme good, not because it is "common," but because it is "good."

The Moral Order

It is natural (instinctive) for both animals and men to form communities for mutual help. But man is also intelligent: he seeks to understand the world he lives in, and himself. With this power geared to *being* as such, he turns toward totality of being while perceiving the fragmentation of beings, toward infinity of being while perceiving the limitation of beings, toward perfection of being while perceiving the perfectibility of beings, toward essential being (*ipsum esse*) while perceiving the mere participants in, or receivers of being.

This thrust of man's intelligence is what leads him to both the acceptance of God's existence as the only Being who really *is* in the fullness of being (neither static nor dynamic, but eternal), and the acceptance of an

6 "So, if the ultimate felicity of man does not consist in external things which are called the goods of fortune, nor in the goods of the body, nor in the goods of the soul according to its sensitive part, nor as regards the intellective part according to the activity of the moral virtues, nor according to the intellectual virtues that are concerned with action, that is, art and prudence—we are left with the conclusion that the ultimate felicity of man lies in the contemplation of truth.

"Indeed, this is the only operation of man which is proper to him, and in it he shares nothing in common with the other animals. . . .

"In fact, all other human operations seem to be ordered to this one, as to an end. For, there is needed for the perfection of contemplation a soundness of body, to which all the products of art that are necessary for life are directed. Also required are freedom from external disorders, to which the whole program of government in civil life is directed. And so, if they are rightly considered, all human functions may be seen to subserve the contemplation of truth.

"However, it is not possible for man's ultimate felicity to consist in the contemplation which depends on the understanding of principles, for that is very imperfect, being most universal, including the potential cognition of things. Also, it is the beginning, not the end, of human enquiry, coming to us from nature and not because of our search for truth. Nor, indeed, does it lie in the area of the sciences which deal with lower things, because felicity should lie in the working of the intellect in relation to the noblest objects of understanding. So, the conclusion remains that man's ultimate felicity consists in the contemplation of wisdom, based on the consideration of divine matters." St. Thomas Aquinas, *Summa Contra Gentiles,* III, 37.

eternal law (reflection of the infinite wisdom of the Creator), i.e. a universal and ever valid order (the moral order for rational beings: St. Thomas Aquinas defines the natural moral law as the participation of the eternal law in the rational creature)[7] binding all beings to God as their last end, but in the case of man in a conscious and self-determining way: man is the only being in the visible universe who has the power to know and to love God, and to obey him freely.

Thus, man seeks a perfect social order based on reason and love (justice and charity, rights and duties, and friendship), because with his intelligence, i.e. with his capacity to understand what is ultimately good and be motivated by it with the self-determination of his free will, he transcends society and is prior to it (society is for man, not man for society). Consequently, he tries to embody in his social life as faithfully as possible that ordering to the last end which he can perceive with his mind.

At the same time, however, he is more bound to his fellows than animals are to one another (a human being is born at a much more undeveloped stage than any other animal), particularly to his own parents (the human family is naturally a stable institution), and hence the effort to bring about a just social order is not only an aspiration but a strict duty: man owes himself to society inasmuch as he orders himself to his last end, i.e. to the common good, and society is the means to this end.

From the Greek Polis to the Christian Community

From the Greeks, the concept of society (POLIS) was that of civilized society based on a constitution, a product of reason, and the rule of law to guarantee harmonious living together. Man, says Aristotle, is a *political animal* (ZOON POLITIKON): he lives in cities based on the rule of law. Animals, on the other hand, live in natural communities based on instinct. Still according to Aristotle, a man who is not fit to live in society is either below man (a beast) or above man (a god). So, reason is what makes man social or "political."

This does not mean that the links of affection (more instinctive, less rational) have no part to play in the making of human society. In fact, without love and trust the most perfect set of laws is bound to break down: as the Romans put it later, *summum ius summa iniuria*, the most perfect justice among men ends up as the most perfect injustice.

Plato had considered the force of love (EROS)[8] or tendency to perfect good as the inner source of creativity in man, the source of that wisdom which would empower him to create a perfect society after the pattern of eternal ideals. This emphasis on the vertical or transcendent dimension of man was balanced by Aristotle by giving the primary role for a successful

7 Cf. *Summa Theologiae,* I-II, 91, and 2.
8 Cf. *Symposium.*

social life to the virtue of friendship (PHILIA),[9] rather than to the juridical order as such. In other words, the juridical order must be rooted in friendliness or amity, and can only work on this basis, in the same way as the soul can only work with the body.

In the New Testament (written in Greek), there occur concepts of friendship (PHILIA) and of brotherhood (PHILADELPHIA), but there is a new concept which surpasses these: that of charity (AGAPE). This is the love that God has for His creatures: purely disinterested, not seeking anything in return, because He has no needs since He is the fulness of being. In other words, it is pure self-giving. This term (AGAPE) is used by Jesus Christ, for example, in the famous text of St. John's Gospel:[10]

> I have a new commandment to give you, that you are to love one another (AGAPATE ALLELOUS); that your love for one another is to be like the love I have borne you. The mark by which all men will know you for my disciples will be the love you bear one another (AGAPEN ECHETE EN ALLELOIS).

Here, the disciple of Christ is asked to love others *with and through* the love of God, i.e. to reciprocate God's love *in order to* be able to love his neighbor as himself. A Christian social life must therefore be inspired in the love of God. The POLIS was based on law and friendship, but the Christian community (KOINONIA) has to be based on the love of God and of one another, with a juridical order reflecting these principles. Christian social ethics will always take as its starting point this insight communicated by divine revelation.

What Brings About Society

St. Augustine (354-430) says that love (AMOR, DILECTIO) is the creator of society. Society is the result of love, because society is formed the moment men agree on a common goal which they all love:

> Two loves formed two cities: the love of self, reaching even to the contempt of God, an earthly city; and the love of God, reaching to the contempt of self, a heavenly one.[11]

Society comes about by the establishment of a common good as an end, and the love for, or natural tendency to that end, keeps the people together.

9 "Friendship we believe to be the greatest good of states and the preservative of them against revolutions; neither is there anything which Socrates so greatly lauds as the unity of the state which he and all the world declare to be created by friendship." *Politics*, II, 4 (cf. III, 9).
10 Jn 13: 34-35.
11 *De Civitate Dei*, XIV, 28.

But is that end what actually produces society, or is it rather that for the sake of which society is produced? We have to distinguish between the efficient cause of society (what produces it) and the final cause of society (that for the sake of which it is produced). In the next chapter this topic will be discussed more at length. A brief summary will suffice now:

a. Final cause – common good (end).
b. Efficient cause – whatever agencies bring about the formation of society.
c. Formal cause (what makes society to be a society) – the moral union of all the wills aiming at the same common good.
d. Material cause (what makes up society) – In the case of civil society, the immediate material constituting society is the family; the individuals are only the remote material: both liberalism and socialism disagree with this view and downgrade the family. Liberalism puts the individual and his selfishness above family and society. Socialism puts society above family and individual, thus threatening the rights of both family and individual.

In addition to these causes, a *sine qua non* condition of society must be mentioned as well, namely, *authority*. The common good is the supreme good of society; but taking into account the natural division of labor in society,[12] society needs an agency that will see to it that the common good is pursued by all. This is called political authority. It can take many forms, but it is always necessary, so that its destruction carries with it the destruction of society itself.

Division of labor means that there must be differentiation in society. In this sense men are not equal, i.e. they are not mass produced items, as socialism tends to regard them. On the other hand, they *are* equal in the dignity of being human persons with basic, natural and inalienable rights, a point overlooked by liberalism. But this too must be studied further in the next and subsequent chapters.

12 Cf. Plato's *Republic*, II, 368-371.

Chapter 2

The Common Good as the Final Cause or Goal of Society

The Metaphysical Ground

Being is the most comprehensive concept, hence the most profound and difficult of all concepts. It is not just a general term which can be handily applied to all things whatsoever, or the most vague and nebulous of all notions, but the richest product of the human mind in its effort to understand reality, the world, life, happiness and all that is worthwhile. Therefore, the intellectual attitude towards *being* determines the attitude of a particular individual or culture towards everything in life and beyond this life.

At all times and everywhere, but more specifically in the history of Western thought up to the present time, there have been basically two conceptions of *being*: the first sees it as prior to, and larger than the human mind, and the second inverts this order by making reality immanent to the human mind.

I. Being as the Subject of the Act of Being

This is a philosophy of reality as a revelation of being to the human mind: being transcends the human mind and beckons it to go beyond itself into the fulness of being, which is God (see previous chapter). Here, real being is actual being, an individualized essence: it is not an abstract essence, a mere

possibility, but an essence, i.e. a manner of being, actually existing, i.e. having the act of being. For example, *man* is an abstracted concept, but not really separated, from *men*: the act of being is what makes an essence *real*: otherwise, a mere essence is no more than a possibility.

What causes things to be (efficient cause) must be other things which already have the act of being, and ultimately one which *is* Being Itself (*Ipsum Esse*). And this cause is different from what causes things to be what they are (formal cause), that from which and in which they are caused (material cause), and the end or goal which sets the efficient cause in motion or motivates it (final cause).

This conception is typically biblical (see previous chapter) and hence, deeply rooted in Judeo-Christian tradition. As Pope Leo XIII pointed out in his encyclical *Aeterni Patris* (1879), it reached its most perfect form in the teaching of St. Thomas Aquinas (1225-1274), who made use of some valuable insights from Plato and Aristotle, as well as from all the Fathers and Doctors of the Church, particularly St. Augustine.

II. Being as Immanent to Man

The immanentistic conception of being (being as somehow flowing from man's consciousness) originated in the Protestant shift in Christianity from God to man, turning faith from an objective belief based on external evidence into a subjective feeling issuing from the depths of man. This religious phenomenon started a process of secularization that, after Descartes (1596-1650), branched off into two streams marked by the two reductions of the human mind (now at the center of the stage): (a) to sensibility, and (b) to reason. Accordingly, two conceptions of being (both immanentistic) arose:

a. *Being as an empty word*, too vague and abstruse, just a figment of the mind. This conception had its forerunners in the Greek and Roman atomists and hedonists (Democritus, Epicurus, Lucretius), who reduced spirit to matter, as well as in Heraclitus, the Greek and Roman sceptics, and the medieval nominalists, and was vigorously followed by the British empiricists and liberals (Hobbes, Locke, Hume), utilitarians (Bentham, Stuart Mill), evolutionists (Spencer, Bergson), positivists (Comte, Taine, Durkheim), pragmatists (James, Dewey), up to our contemporary logical positivists (Carnap, Schlick, Wittgenstein). The constant factor in this stream of Western thought is the reduction of all reality to *relevance to the individual man*, who is in turn reduced to sense consciousness or just a "bundle of perceptions," as Hume said, and the pleasure-principle (hedonism) as the standard of happiness: a pretty stark type of materialism, which has given rise to social, economic, and political liberalism.

b. *Being as pure essence.* This conception runs from Pythagoras, Parmenides and Plato, through the Greco-Romans, Neo-Platonists, the medieval Augustinians, the scholastics who did not follow St. Thomas Aquinas, Descartes and his Rationalist followers (Spinoza, Malebranche, Leibniz, Wolff), Kant and the absolute idealists (Fichte, Schelling, Hegel), up to our contemporary phenomenologists (Husserl, Scheler, Hartmann) and existentialists (Heidegger, Jaspers, Sartre), notwithstanding the *realist* claims of the latter. For these thinkers, generally speaking, being "*is*" already as soon as it is *thinkable* (the Leibnizian *possibility* or truth of reason, the Kantian *noumenon*, the Hegelian *concept*, the Husserlian *noema*): "existence" is something just added to it that does not really make any difference to it—mathematics, with its rational necessity, is the perfect knowledge of reality. Here, the emphasis is shifted from the individual to the universal man (the essence "man"), with a tendency to absolutizing the state, the modern Leviathan, as the incarnation of the universal man. It is a tragic confusion between the order of concepts (logic) and the order of real things (metaphysics), which has given rise to totalitarian socialism and collectivism.

The devastating power of Marxist communism to destroy human personality and freedom can be gleaned from the fact that Karl Marx (1818-1883) combined the destructive force of both conceptions above, joining a most radical materialism (for him, *sensible* consciousness—and there is no other consciousness above it—is the spearhead of an all-embracing matter in dialectical evolution) to a most totalitarian and truly dynamic (dialectical) socio-political philosophy based on a purely economic interpretation of all history, culture, and society, wherein the individual man has *being* only to the extent that he renounces his individuality and integrates himself fully into the social process: the social or collective "man."

The various attempts at reuniting the two immanentistic streams—Kant, Comte, Hegel, Marx, Nietzsche, Bergson, Heidegger, Whitehead—have not transcended the boundaries of immanentism: a man-centered conception of *being* in terms of human relevance, and therefore essentially hostile to God, and logically leading to atheism when radically pursued, as well as the progressive devaluation of human life, deprived of the roots of its dignity: its divine origin and filiation.

Liberalism and Socialism

If we now place side by side the differentiations of (a) and (b) in relation to the common good of society, we have the following table:

A	B
Empiricism (sense experience as *only* source of *true* knowledge)	Rationalism (reason as *only* source of *true* knowledge)
Nominalism (abstract concepts are mere "names" with no reality of their own: individual sensible things are the *only* reality. Therefore, the so-called common good or "general welfare" is nothing but the greatest amount of happiness—in sensible, measurable terms—for the greatest number of individuals)	Ultra-realism (gives excessive reality to abstract concepts: individuals are only pale reflections of universal essences, which are the *only* reality. Therefore, the common good is the good of society as a totality: individuals are expendable and negligible, at the service of the state, which is the incarnation of society)
Individualism	Collectivism
Universal suffrage	State regimentation
Freedom as supreme value	Equality as supreme value
Private ownership as absolute and basic right	Private ownership abolished
Capitalism (free enterprise, free competition, and free exchange)	Communism (through transition stage of state ownership of means of production and exchange)
Laissez faire state	Totalitarian state
Since the family is not an individual (it is more a vague notion), its significance disappears: legalization of divorce, contraceptives and abortion.	The family also disappears in this case, swallowed up by society, which is more abstract and hence, more real than both the family and the individual.
LIBERALISM	SOCIALISM

The True Philosophy of the Common Good

Both liberalism and socialism, as we have seen, stem from a philosophy which has lost touch with reality—where truth is no longer the adjustment of mind to reality, but whatever each man feels in his own ego. This leads to either the "rat race" of liberalism or the "class struggle" of Marxism: callous egoism on an individual scale or active hatred on a collective scale.

Analyzing society now in the light of that other philosophy that opens itself to the infinite expanse of being (see I. above), and identifies wisdom with the divine knowledge of divine creation in which man has the privilege of sharing by adjusting his mind to it like a good disciple, we can state the following:

Society, *materially* (i.e. from the point of view of its material cause), is no more than the sum total of the individuals in it and no different from it. However, *formally* (i.e. from the point of view of its formal cause or what makes it to be precisely a society), it is obviously something different (the liberals cannot see this because of their individualism). What makes the difference? In society, individuals are united by a final *cause* common to all: the common good. Therefore, there cannot be any incompatibility between the individual good and the common good if society is a real society, not just a conglomeration of individuals.[1]

Now, if "freedom" is stressed, the common good suffers; if "equality" is stressed, the individual good suffers. Therefore, neither freedom nor equality is the supreme value (they are too abstract and incomplete), but *civil or social friendship*—on the merely natural level—which always necessitates *justice* (giving each man what is due to him) and, taking into account man's elevation by divine grace to the supernatural order, *charity* (see previous chapter).

Therefore, the function of the state, as coordinating authority in charge of promoting the common good (a task entrusted to society by God, as ultimate *efficient cause* of society, and then vested on the state by society), is to set up a juridical order, i.e. an order of rights and duties based on justice: commutative, distributive, and legal (see below). This is the order of social justice that leads to the common good: a situation in which the individual must "give and take," must sacrifice his personal advantage for the sake of justice, thereby contributing to the common good.[2]

The individual must be a *person* (see below), i.e. a subject of responsibility and of love. He should not be an egoist, because he is related to society by his very nature: only through love and justice can an individual attain his own happiness.[3]

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1 "Some have held that prudence does not extend to the common good, but only to the good of the individual . . . because they thought man is not bound to seek other than his own good." "But this opinion is opposed to charity, which *seeketh not her own* (1 Cor 13:5): wherefore the Apostle says of himself *(Ibid.*10:33): Not seeking that which is profitable to myself, *but to many, that may be saved.* Moreover it is contrary to right reason, which judges the common good to be better than the good of the individual. Accordingly, since it belongs to prudence rightly to counsel, judge, and command concerning the means of obtaining a due end, it is evident that prudence regards not only the private good of the individual, but also the common good of the multitude." St. Thomas Aquinas, *Summa Theologiae*, II-II, 47, 10.

2 "Each part naturally loves the common good of the whole more than its own particular good. This is evidenced by its operation, since the principal inclination of each part is towards common action conducive to the good of the whole. It may also be seen in civic virtues whereby sometimes the citizens suffer damage even to their own property and persons for the sake of the common good." St. Thomas Aquinas, *Summa Theologiae*, II-II, 26, 3.

3 "The common good of many is more Godlike than the good of an individual. Wherefore it is a virtuous action for a man to endanger even his own life, either for the spiritual or for the temporal common good of his country." St. Thomas Aquinas, *Summa Theologiae*, II-II, 31, 3 ad 2.

Therefore, the state should be the servant of society (against totalitarianism), but should take an active part in the economic, social, and cultural development of society (against liberalism), following the principle of subsidiarity (see below). This is also the constant teaching of the Catholic Church.

St. Thomas Aquinas puts it this way:[4]

> Laws framed by man are either just or unjust. If they be just, they have the power of binding in conscience, from the eternal law whence they are derived, according to Prov. 8:15: *By me kings reign, and lawgivers decree just things.* Now laws are said to be just, both from the end, when, to wit, they are ordained to the common good—and from their author, that is to say, when the law that is made does not exceed the power of the lawgiver—and from their form, when, to wit, burdens are laid on the subjects, according to an equality of proportion and with a view to the common good. For, since one man is a part of the community, each man in all that he is and has, belongs to the community; just as a part, in all that it is, belongs to the whole; wherefore nature inflicts a loss on the part, in order to save the whole: so that on this account, such laws as these, which impose proportionate burdens, are just and binding in conscience, and are legal laws.
>
> On the other hand, laws may be unjust in two ways: first, by being contrary to human good, through being opposed to the things mentioned above—either in respect of the end, as when an authority imposes on his subjects burdensome laws, conducive, not to the common good, but rather to his own cupidity or vainglory—or in respect of the author, as when a man makes a law that goes beyond the power committed to him—or in respect of the form, as when burdens are imposed unequally on the community, although with a view to the common good. The like are acts of violence rather than laws; because, as Augustine says (*De Lib. Arb. i, 5), a law that is not just, seems to be no law at all.* Wherefore such laws do not bind in conscience, except perhaps in order to avoid scandal or disturbance, for which cause a man should even yield his right, according to Mt 5:40-41 : *If a man . . . take away thy coat, let go thy cloak also unto him; and whosoever will force thee one mile, go with him other two.*
>
> Secondly, laws may be unjust through being opposed to the divine good: such are the laws of tyrants inducing to idolatry, or anything else contrary to the divine law: and laws of this kind must nowise be observed, because, as stated in Acts 5:29, *we ought to obey God rather than men.*

4 *Summa Theologiae*, I-II, 96, 4.

Chapter 3

Dynamics of the Common Good

The Principle of Solidarity and the Principle of Subsidiarity as Actualizing the Dynamics of the Common Good

A further critique of liberalism and socialism will introduce us into this topic.

Liberalism, because of its individualism, leads logically to free enterprise and competition, and to a consumer society ruled by advertising. Advertising, when goaded by the profit motive, may develop techniques of persuasion and conditioning based on an appeal to the senses and emotions (exterior powers of man, as distinct from his interior powers of intellect and will). To the extent that this threatens, stifles, or strains his interiority, and with it his autonomy and capacity for personal judgment, man becomes shallow, superficial, and emotionally unstable, like a reed swayed by the wind, an easy prey for manipulation, just like a machine. His purely material needs monopolize his desires, and so he is gradually brutalized, standardized, and depersonalized: divorce, promiscuity, abortion and contraceptives become rampant as a result of selfish hedonism. The depersonalization of man spells the disintegration of human society, aided and abetted by the thinly spread, broad, loose, unprincipled education afforded by liberal society, which gives no certainties to the intellect (cf. Dewey's educational pragmatism). This explains the anarchistic reactions cropping up here and there in liberal societies: the instinctive reactions of young individuals obscurely afraid of being choked by a loveless, depersonalized environment.

While the attempt against the individual person perpetuated by liberalism is unwitting, so to speak, since it is due rather to the absence of principles than to the application of wrong ones, the onslaught of socialism on the human person is consciously doctrinaire, willful and premeditated, since it is based on the (totally wrong) assumption that only the universal social man has reality (cf. Hegel and Marx): the individual has no personal rights since he has no dimension that transcends society. This leads to the totalitarian state where the individuals are levelled to an artificial equality similar to that of mass-produced articles coming out of the assembly line. This is also a brutalization, standardization, and depersonalization of man, only more purposely and consciously achieved.

Returning now to our metaphysical analysis of the concept of the common good that avoids the errors of liberalism and socialism (see previous chapter), the state must promote the common good by working out a just juridical order: justice is the goal to aim for, above freedom and equality, if the latter two are to be existentially achieved. This is to be worked out by means of two principles.

The Principle of Solidarity

This is the principle of fellowship. There is a fundamental equality of all men, a brotherhood with the identity of human nature and a common origin at its basis: we are all children of the same Father in heaven.

> All men born of Adam may be considered as one man, inasmuch as they have one common nature, which they receive from their first parents; even as in civil matters, all who are members of one community are reputed as one body, and the whole community as one man. Indeed Porphyry says (*Praedic., De Specie)* that *by sharing the same species, many men are one man.* Accordingly the multitude of men born of Adam, are as so many members of one body.[1]

There should be a union in affection among those for whom there is one common end. Now, men share in common the one ultimate end which is happiness, to which they are divinely ordered. So, men should be united with each other by a mutual love.

> Again, whoever loves a person must, as a consequence, also love those loved by that person and those related to him. Now, men are loved by God, for he has prearranged for them, as an ultimate end, the enjoyment of Himself. Therefore, it should be that, as a person becomes a lover of God, he also becomes a lover of his neighbor.
>
> Besides, since *man* "is naturally a social animal" (Aristotle, *Politics*, 1, 2), he needs to be helped by other men in order to attain his own end. This is most fittingly accomplished by mutual love which obtains among men. Therefore, by the law of God, which directs men to their ultimate end, mutual love is prescribed for us.

1 *Summa Theologiae* I-II, 81, 1.

> Moreover, so that man may devote his time to divine matters, he needs tranquility and peace. Now, things that are potential disturbances to peace are removed principally by mutual love. So, since the divine law orders men in order that they may devote themselves to divine matters, it is necessary for mutual love to be engendered among men by divine law.
>
> Furthermore, divine law is offered to man as an aid to natural law. Now, it is natural to all men to love each other. The mark of this is the fact that a man, by some natural prompting, comes to the aid of any man in need, even if he does not know him. For instance, he may call him back from the wrong road, help him up from a fall, and other actions like that: "as if every man were naturally the familiar and friend of every man" (Aristotle, *Nicom. Eth.* VIII, 1). Therefore, mutual love is prescribed for men by the divine law.
>
> Hence it is said in John (15:12): "This is my commandment: that you love one another"; and in 1 John (4:21): "This commandment we have from God, that he who loveth God love also his brother"; and in Matthew (22:39) it is said that the second commandment is "Love thy neighbor."[2]

And since friendship and love presuppose justice and equity, we are bound: (i) to one another by the unavoidable moral ties of commutative justice; (ii) to obey the just laws of the state by legal justice; (iii) to serve the common good, if we are public officials, by distributive justice; and (iv) to promote the common good in our private capacity, by social justice. (For more about the various kinds of justice, see Chapter 6 below).

The Principle of Subsidiarity

This is the principle of supplementary assistance, which means that what can be done by the smaller body should not be done by the larger one, as this would stump private initiative: it is better for things to grow from the grassroots than to be stifled by an overprotective authority.

St. Thomas Aquinas approaches this principle from its metaphysical ground: the relationship and harmony of God's providence in governing the universe (including human society) and man's participation in this providence in accordance with his rational and free nature:

> The rational creature is subject to divine providence in such a way that he is not only governed thereby, but is also able to know the rational plan of providence in some way. Hence, it is appropriate for him to exercise providence and government over other things. This is not the case with other creatures, for they participate in providence only to the extent of being subordinated to it. Through this

2 *Summa Contra Gentiles*, III, 117.

possession of the capacity to exercise providence one may also direct and govern his own acts. So, the rational creature participates in divine providence, not only by being governed passively but also by governing actively, for he governs himself in his personal acts, and even others.[3]

Over-organization and regimentation, both on the family level and on the social level, can easily injure this principle. On the other hand, a more personalized approach, a happy combination of friendliness and discipline, is the best help for the individual to develop a sense of responsibility and social awareness.[4]

The Uniqueness of Society

We can conclude from the above that society is both hierarchical and organic, but not to the extent of absorbing the individual completely. It cannot be satisfactorily compared to a mere collection of isolated individuals, or to a living organism, an anthill, or a beehive. It is simply a unique, incomparable reality which, therefore, needs a unique study and approach that takes all its complexities and baffling paradoxes into account.

The reason for this mystifying nature of society is found in the transcendent dimension of man—his freedom, which makes him unpredictable and incalculable, despite all the efforts of the so-called behavioral sciences. The only satisfactory study of man and society is that which approaches him from that transcendent angle: the metaphysical approach, free from immanentistic prejudices, whether rationalist or empiricist.

3 *Ibid.* III, 113.

4 Pope John XXIII puts it this way in his encyclical *Mater et Magistra* (1961):
"This intervention of public authorities that encourages, stimulates, regulates, supplements, and complements, is based on the *principle of subsidiarity* as set forth by Pius XI in his encyclical *Quadragesimo Anno*: 'It is a fundamental principle of social philosophy, fixed and unchangeable, that one should not withdraw from individuals and commit to the community what they can accomplish by their own enterprise and industry. So, too, it is an injustice and at the same time a great evil and a disturbance of right order, to transfer the larger and higher collectivity functions which can be performed and provided for by lesser and subordinate bodies. Inasmuch as every social activity, should, by its very nature, prove a help to members of the body social, it should never destroy or absorb them.' "

Or as Pius XII had said in his Pentecost message of 1941:
"The security of the common good in the true sense cannot entail a domination over the members of the community so extensive as to empower the state to interfere with the development of individual activity . . . contrary to the personal rights and duties of man."

Person and Common Good

Principle of Solidarity	Principle of Subsidiarity
Stresses:	Stresses:
Common Good	Individual Person
Duties	Rights
Cooperation	Privacy
Equality	Freedom

The balance between these two principles can easily be upset by overstressing one of them at the expense of the other. In fact, we can see that liberalism and socialism are the two extremes resulting from the loss of balance: liberalism overstresses subsidiarity and socialism overstresses solidarity.

What must be done in order to avoid these errors are:
(i) to define the person as related to the common good; and
(ii) to define the common good as related to the person.
Thus:

Person — *The individual self as open through love of self-giving to the infinite self, and, through this self-expansion, open also to other finite selves (and to all finite things) as participations in the divine goodness, i.e. committed to promote the good of society (and of the universe) as such: the transcendent common good, and thereby the immanent common good.*[5]

Common Good (Immanent) — *A juridical order and social situation such that the opportunities for every person in society to develop himself or herself to the full (materially, culturally, spiritually) are maximized.*

The principle of solidarity will lead the state to promote the common good, even if by so doing the individual advantage of some may have to be curtailed.

The principle of subsidiarity will lead the state to respect and protect the natural rights of the individual and of the family, but within the juridical order of the common good.

5 Cf. Chapter 1 and the next chapter.

The Maritain—de Koninck Controversy

The rise of the totalitarian regimes after World War I (Soviet Communism, Italian Fascism, German Nazism), with the failure of juridical orders, whether national or international, to guarantee the rights of the person, prompted a spirited defense of these rights by Pope Pius XI with his encyclicals *Non Abbiamo Bisogno* (1931) (against Fascism), *Mit brennender Sorge* (1937) (against Nazism), and *Divini Redemptoris* (1937) (against Communism). This same pope never ceased to insist, moreover, on the equal importance of the two principles of solidarity and subsidiarity.

The well-known Catholic philosopher Jacques Maritain, for his part, also struck by these attacks on the dignity of the human person, elaborated a doctrinal position known as personalism. According to him, the person transcends society because civil society is terrestrial while the person has a spiritual and hence, immortal dimension. Therefore, the person should be above the common good. He was of course concerned with the untold sufferings of countless individuals under the totalitarian regimes, appalled by the outrages against the dignity of the human person.

Another Catholic philosopher, Charles de Koninck, replied with a book entitled *The Primacy of the Common Good against the Personalists.* He criticized personalism first for its danger of falling into individualism: the person may be emphasized to the detriment of his obligations toward the common good, which is transcendent or divine, before it is immanent or terrestrial. It is precisely by fulfilling those obligations toward the common good that a person truly fulfills himself. These are the obligations of justice (commutative, legal, distributive, social) which spell out the need of the person to transcend himself through self-giving love.

It is true, however, that a perfect juridical order can hardly exist in this imperfect world: this consideration is what led Maritain to place the person above the juridical order of the common good. But this betrays a rather pessimistic view of the power of human law.

While Maritain maintains that only by securing the primacy of the person can the danger of tyranny be averted, de Koninck sees the law, i.e. a juridical order of rights and duties for the common good, as the only preventive remedy against tyranny. As was stated above, it is not right to separate justice from love: justice (law) cannot be fulfilled without friendship and charity. On the other hand, isolating the person from the juridical order is a rather sentimental approach to the person, which may lead to subjectivism and arbitrariness.

For more about the relationship of law and love, see Chapter 5 below: Law as Prerequisite of Love.

Chapter 4

Individual and Person: Autonomy and Sociability

Individual and Person: Distinct but Not Separated

Still on the relationship of person and common good, a clarification is called for between the meanings of individual and person (a real metaphysical analysis of these two concepts), since it is precisely the absence of this capital distinction that has led to the errors of liberalism and socialism.

St. Thomas Aquinas, in his study of the three divine persons in one God, when considering the question "Whether this word 'person' signifies 'relation,'"[1] states the following:

> To determine the question, we must consider that something may be included in the meaning of a less common term, which is not included in the more common term; as *rational* is included in the meaning of *man*, and not in the meaning of *animal*. So that it is one thing to ask the meaning of the word animal, and another to ask its meaning when the animal in question is a man. Also, it is one thing to ask the meaning of this word *person* in general; and another to ask the meaning of *person* as applied to God. For *person* in general signifies the individual substance of a rational nature. The individual in itself is

1 *Summa Theologiae*, I, 29, 4.

Corollaries

1. It is right that reason, i.e. the spiritual side of man, should rule or govern the emotions and feelings, i.e. the material side of man, without suppressing them (since individuality is not separable from personality), but directing them towards the good or end of human nature, and thereby of every individual man: the enjoyment of God. Man needs God's supernatural grace to attain this goal, but God counts also on the cooperation of human freedom, for He has created man intelligent and free.

2. It is wrong and degrading to reduce man to his materiality and consider spirit as a mere epiphenomenon of material conditions (Marxist historical materialism). It is not true to say that man is what he is on the basis of his materiality. Rather, man is what he is on the basis of what he can make of his materiality by his spiritual powers.

3. If man is put before society, not just as an individual but as an individual *person*, we thereby assert the primacy of the common good. This is the meaning of the statement that "society is for man, not man for society."[6]

4. Likewise, if the common good is put before the individual good, not as the sum total of individual goods, but as the social and juridical order wherein the possibilities of self-fulfillment for every person are maximized, we are thereby asserting the primacy of the person above society as such.

5. The error of liberalism is to stress individuality (egoism) to the detriment of personality (self-transcending love of what is good). So, the dangers of an individualistic society are, first, depersonalization (tendency of people to become standardized, enslaved to fashion and advertising), and second, materialism, since individuality is rooted in matter.

6. The error of socialism, on the other hand, is to stress the social aspect of man to the detriment of his individuality. But if man were to lose his individuality, he would have no being of his own (no autonomy), and his personality would therefore have no basis. And so, people in this type of society end up levelled down to a depersonalized, undifferentiated mass.

7. Both types of societies, liberal and socialist, constitute the same threat to the dignity of the human person, because man needs to keep a tension or balance between individuality and personality, between autonomy and sociability.

action of man, whether good or bad, acquires merit or demerit in the sight of God, as far as the action itself is concerned." *Ibid. I-II*, 21, 4 ad 3.

6 Pius XI, enc. *Divini Redemptoris* (1937).

Pius XII's statement to the International Labor Organization on 16 July 1947 is a concise summary of the true philosophy of the common good:

> We are sure you will agree that any organization for the betterment of workers' conditions will be a soulless mechanism and, therefore, with neither life nor fruit, unless it puts first and foremost, in its charter and its action, respect for the human person in all men, whatever be their social positions; recognizes, secondly, the solidarity of all people in the human family made by the loving almighty power of God; and thirdly, acts so as to put the imperious demands of the common good above all personal advantage.

Chapter 5

Rights and Duties in Relation to the Common Good

Significance of the Concept of Right

The definition of common good given above (pp. 3-5) indicates a *juridical* order of rights and duties in order to balance the principle of subsidiarity (respect for rights) with the principle of solidarity (fulfillment of duties). A clarification of those two correlative concepts (right and duty) is therefore required at this point.

The word *right* (from the German *Recht)* translates the Latin *ius, iuris,* which means what is due or owed (duty)—when everyone receives what is due to him, then there is *iustitia*, justice.

In answering the question "Whether right is the object of justice,"[1] St. Thomas Aquinas states the following:

> It is proper to justice, as compared with the other virtues, to direct man in his relations with others: because it denotes a kind of equality, as its very name implies; indeed we are wont to say that things are adjusted when they are made equal, for equality is in reference of one thing to some other. On the other hand, the other virtues perfect man in those matters only which befit him in relation

1 *Summa Theologiae,* II-II, 57, 1.

> to himself. Accordingly, that which is right in the work of the other virtues, and to which the intention of the virtue tends as to its proper object, depends on its relation to the agent only, whereas the right in a work of justice, besides its relation to the agent, is set up by its relation to others. Because a man's work is said to be just when it is related to some other by way of some kind of equality, for instance the payment of the wage due for a service rendered. And so a thing is said to be just, as having the rectitude of justice, when it is the term of an act of justice, without taking into account the way in which it is done by the agent: whereas in the other virtues nothing is declared to be right unless it is done in a certain way by the agent. For this reason justice has its own special proper object over and above the other virtues, and this object is called the just (*ius*), which is the same as right. Hence, it is evident that right is the object of justice.

There are two more important derivations from the word *ius*:

1. *jurisprudence*, i.e. prudence (reason ruling action) applied to the discernment of rights, i.e. application of the law to individual cases, which is what the judge does in a court trial (civil law), and what conscience does in every human decision (moral law);
2. *juridical*, i.e. anything related to rights. Thus, a "juridical order" is a system of rights and in society: civil law.

Law as Juridical Order: Basis of Freedom

Without a juridical order no justice is possible, and therefore no freedom, because then, "*might is right*": the individual will of the most powerful (material strength) tends to replace the "ordinance of reason for the common good, made by him who has care of the community, and promulgated," which is how St. Thomas Aquinas defines law.[2]

The concept of law (NOMOS) as reflecting the immutable order of justice (DIKE), was highly developed by the Greeks, particularly Plato and Aristotle,[3] perhaps due to the fact that they were constantly afflicted by tyrannies and were searching for a perfect constitution (set of laws) which would enshrine that perpetual and transcendent order of justice which does

2 *Ibid.*, I-II, 90, 4.

3 "Man, when perfected, is the best of animals, but, when separated from law and justice, he is the worst of all; since armed injustice is the more dangerous, and he is equipped at birth with arms, meant to be used by intelligence and virtue, which he may use for the worst ends. Wherefore, if he have not virtue, he is the most unholy and the most savage of animals, and the most full of lust and gluttony. But justice is the bond of men in states, for the administration of justice, which is the determination of what is just, is the principle of order in political society." Aristotle, *Politics*, 1, 2.

not depend on the changeable and arbitrary will of an individual man, group or class, and which would guarantee the freedom of the citizens.[4]

The Romans also had a very advanced juridical order with their motto: *Servi legum sumus ut liberi esse possimus*, "We are slaves of the laws so that we can be free."

The term *lex* (law) comes from the verb *ligare*, to bind. This binding of the law whereby acts are directed to their own end or goal is the *order to end* or to the common good, made by reason, which conditions the attainment of freedom of movement, just as the observance of the set of rules governing car driving and traffic movement enables the driver (i.e. makes him free) to reach his chosen destination.

> Law is a rule and measure of acts, whereby man is induced to act or is restrained from acting: for *lex* (law) is derived from *ligare* (to bind), because it binds one to act. Now, the rule and measure of human acts is the reason, which is the first principle of human acts . . . since it belongs to the reason to direct to the end, which is the first principle in all matters of action . . . Now that which is the principle in any genus, is the rule and measure of that genus . . . Consequently it follows that law is something pertaining to reason.[5]

Law as Prerequisite of Love

Law is opposed neither to freedom nor to love, if love is understood as the natural tendency to the good. In fact, law makes both freedom and love possible, because no freedom is possible without the movement toward possession and enjoyment of the good (love). But no love is possible without justice (there is no charity without order: charity is not sentimentality), and no justice is possible without law. Law is thus the vehicle of love, and love secures the freedom of the individual and thereby his happiness (rules and discipline are the condition for liberation), precisely to the extent that it is geared to the attainment of the common good.

> The law belongs to that which is a principle of human acts, because it is their rule and measure. Now as reason is a principle of human acts, so in reason itself there is something which is the principle in respect of all the rest: wherefore to this principle, chief and mainly, law must needs be referred. Now the first principle in practical matters, which are the object of the practical reason, is the last end: and the last end of human life is bliss or happiness . . . Consequently the law must needs regard principally the relationship to happiness. Moreover,

4 "He who bids the law rule may be deemed to bid God and reason alone rule, but he who bids man rule adds an element of the beast; for desire is a wild beast, and passion perverts the minds of rulers, even when they are the best of men. The law is reason unaffected by desire." *Ibid.*, III, 16.

5 *Ibid.*, I-II, 90,1.

> since every part is ordained to the whole, as imperfect to perfect; and since one man is a part of the perfect community, the law must needs regard properly the relationship to universal happiness. Wherefore the Philosopher, in the above definition of legal matters mentions both happiness and the body politic: for he says (Ethic. v, 1) that we call those legal matters 'just, which are adapted to produce and preserve happiness and its parts for the body politic': since the state is a perfect community, as he says in *Polit.* i, 1.
>
> Now in every genus, that which belongs to it chiefly is the principle of the others, and the others belong to that genus in subordination to that thing . . . Consequently, since the law is chiefly ordained to the common good, any other precept in regard to some individual work, must needs be devoid of the nature of a law, save insofar as it regards the common good. Therefore every law is ordained to the common good.[6]

In the New Testament is found a striking confirmation of the need to bind oneself to the law as the expression of love and the way to freedom:

> Do not think that I have come to destroy the Law or the prophets. I have not come to destroy, but to fulfill. For amen I say to you, till heaven and earth pass away, not one jot or one tittle shall be lost from the Law till all things have been accomplished. Therefore whoever does away with one of these least commandments, and so teaches men, shall be called least in the kingdom of heaven; but whoever carries them out and teaches them, he shall be called great in the kingdom of heaven.[7]

What Jesus Christ condemned in the Pharisees was not their adherence to the Law, but their fulfillment of it without the love of God and neighbor as the greatest commandments, which had led them to missing the wood for the trees and getting sidetracked by pernickety and all too human matters.

Law is and will always be the condition for love and happiness, while anarchy (literally: no government, i.e. no direction to the end), i.e. the negation of law, is the substitution of egoism for love. When law is ignored or disregarded, personal preference and favoritism, with the consequent injustice, become the dominant forces of a disintegrating society. On the other hand, the effect of law is to make people good, as St. Thomas Aquinas explains:

> A law is nothing else than a dictate of reason in the ruler by whom his subject are governed. Now the virtue of any subordinate things consists in its being well-subordinated to that by which it is regulated: thus we see that the virtue of the irascible and concupiscible faculties

6 *Ibid.,* I-II, 90, 2.
7 Mt 5:17-19.

> consists in their being obedient to reason; and accordingly "the virtue of every subject consists in his being well subjected to his ruler," as the Philosopher says (*Polit.* i). But every law aims at being obeyed by those who are subject to it. Consequently it is evident that the proper effect of law is to lead its subjects to their proper virtue: and since virtue is "that which makes its subject good," it follows that the proper effect of law is to make those to whom it is given, good, either simply or in some particular respect. For if the intention of the lawgiver is fixed on true good, which is the common good regulated according to divine justice, it follows that the effect of the law is to make men good simply. If, however, the intention of the lawgiver is fixed on that which is not simply good, but useful or pleasurable to himself, or in opposition to divine justice, then the law does not make men good simply, but in respect to that particular government. In this way good is found even in things that are bad of themselves: thus a man is called a good robber, because he works in a way that is adapted to his end.[8]

Natural Right and Positive Right

St. Thomas Aquinas explains them as follows:

> As stated above . . . the *right* or the *just* is a work that is adjusted to another person according to some kind of equality. Now a thing can be adjusted to a man in two ways: first by its very nature, as when a man gives so much that he may receive equal value in return, and this is called *natural right.* In another way a thing is adjusted or commensurated to another person by agreement, or by common consent, when, to wit, a man deems himself satisfied, if he receive so much. This can be done in two ways: first by private agreement, as that which is confirmed by an agreement between private individuals; secondly, by public agreement, as when the whole community agrees that something should be deemed as though it were adjusted and commensurated to another person, or when this is decreed by the prince who is placed over the people, and acts in its stead, and this is called *positive right.*[9]

So, what is due to another may be so either:

1. by its very nature: natural right, or
2. by human law: positive right, which may be
   a. public—a right established by public law (applying to all), e.g. the right to a minimum wage;

8 *Summa Theologiae,* I-II, 92, 1.
9 *Ibid.,* II-II, 57, 2.

b. private—a right that derives from a private contract between private citizens, also protected by law.

And then, he goes on to say:

> The human will can, by common agreement, make a thing to be just provided it be not, of itself, contrary to natural justice, and it is in such matters that positive right has its place. . . If, however, a thing is, of itself, contrary to natural right, the human will cannot make it just, for instance by decreeing that it is lawful to steal or to commit adultery. Hence, it is written (Isa 10:1): "Woe to them that make wicked laws."[10]

Subject and Foundation of Right

Right may be considered either objectively or subjectively. In the first case it is the *object* of justice or what is due to another: right is what is related to someone as belonging to him. "Belonging" is an analogical term, as there are many ways of belonging. This one is the most perfect form of belonging because it is something possessed with free mastery (*dominium libertatis).* This free mastery is the basic characteristic of right, and it implies responsibility, i.e. intelligence and self-determination.

Right considered subjectively is a relationship of someone to something as belonging to him. If something is related to me as mine, I am related to it as owner, master or possessor. Who can be a subject of rights? Only someone who is possessor with free mastery, and this is the person, for only the person is by nature intelligent and free (see above, regarding "person").

However, does the person have to be *actually* free in order to be a subject of rights (e.g. a little baby)? No, because he may be prevented from the exercise of freedom while retaining its power. Rights are inherent in the nature of the person. Thus, for example, the unborn child as being human is already a subject of rights, which should actually be specially protected by civil society (state laws and authority) due to his inherent weakness and helplessness.

Regarding the foundation of rights, after distinguishing between natural and positive right (see just above), St. Thomas Aquinas goes on to distinguish between natural right and the Roman concept of civil right (*ius gentium*),[11] as "whatever natural reason decrees among all men" and "is observed by all equally." He equates it to positive right, and thus makes positive law the immediate foundation of rights, and since positive laws are, through "natural reason," based on the natural law, i.e., on the way things were made by God, the *ultimate* foundation of rights is the Eternal Law. And this is how he describes the Eternal Law:[12]

10 *Ibid.,* ad 2.
11 *Ibid.,* II-II, 57, 3.
12 *Ibid.,* I-II, 91,1.

> As stated above (Q. 90, A.1 and 2; AA. 3, 4), a law is nothing else but a dictate of practical reason emanating from the ruler who governs a perfect community. Now it is evident, granted that the world is ruled by Divine Providence, as was stated in the first part (Q. 22, AA. 1, 2), that the whole community of the universe is governed by Divine Reason. Wherefore the very idea of the government of things in God, the ruler of the universe, has the nature of a law. And since the Divine Reason's conception of things is not subject to time but is eternal, according to Prov 8:23, therefore it is that this kind of law must be called eternal.

Therefore the supreme right is the divine right, since natural rights are rooted in the natural law, which is rooted in the eternal law (see above, Chapter 1): natural law is the participation of the eternal law in the rational creature.

Morality and Legality

In the light of the above, subjective right can be more accurately defined thus: *a moral power belonging to a person, i.e. to someone of intellectual nature, to possess or to do something according to justice.*

We are only the stewards of our rights, we do not own them absolutely, because natural rights (natural law) are rooted in the divine right (eternal law).

On the other hand, what is due because of justice is due because of the moral law. Therefore, through the moral law rights are obligatory: no one has the right to suppress his own rights, though he may waive them for a higher end (e.g. sacrifice one's life for another). Therefore, the study of rights belongs to ethics (morality), not only to legal philosophy (legality).

> While *general ethics* studies human acts as ordained to their end, which is the happiness and good of the agent, *social ethics* studies the same human acts as ordained to their end through their ordination to other men. A right always has a social projection. Individual rights cannot be isolated from their social projection. The object of social ethics is justice, which is the ruling principle of the relations among men, and the means to liberate man from his egoism, by making him think of others (what is due to others from us: our duties) rather than of himself.[13]

Juridical or *legal positivism* is the absorption of morality into legality as a result of rejecting the natural law. While it had its forerunners in the ancient Sophists (Protagoras, in the 5th century B.C., absolutized man with his famous statement "Man is the measure of all things") whom Socrates

13 Cf. *Ibid.,* I-II, 56,6.

challenged for their inconsistent relativism and skepticism (they stated that "we cannot be sure of anything" without the slightest *insecurity!*), the voluntarism of Ockham and the political Averroism of Marsilius of Padua in the 14th century paved the way for the full-blown legal positivism of Hobbes (1588-1679), who, in his famous *Leviathan,* absolutized the state, whose laws would determine what is morally right and wrong. Subsequently, Kant (1724-1804) paved the way for Hegel's (1770-1831) even more radical absolutizing of the state, by grounding "theory" (pure reason) in "practice" (practical reason), thereby separating the juridical order from the moral order. According to him, with the exception of the natural right of men to freedom, there is no other right but positive or civil right. So, the ultimate foundation of right is the positive law, based on the customs of peoples (or on history, as Savigny and Stahl would later say): right has nothing in common with morality, for morality is natural but purely "formal" (without any "material" content), while right is always spelled out with a "material" content—the right to *something.*

This deification of the state has led to the most appalling crimes witnessed by humanity in the notorious 20th century dictatorships, while the parallel deification of the individual at the expense of society, and of man at the expense of other men, have produced, also in the 20th century, a terrifying amount of innocent victims of abortion and infanticide.

> Where the dependency of human rights on divine rights is denied, where the highest appeal is to a vague concept of purely earthly authority, where an autonomy founded only on a utilitarian morality is claimed; there human rights themselves justly lose, in their most serious applications, the moral force which is the essential condition for their winning recognition and demanding sacrifices.
>
> It is certainly true that power based on such weak, precarious foundations may sometimes achieve, because of contingent circumstances, material success which astonishes the superficial observer; but there comes a moment when there triumphs that inescapable law which strikes everything that is built on a hidden or open disproportion between the greatness of material and outward success and the weakness of inner values and their moral foundation. This disproportion always exists where public authority fails to recognize or repudiates the sovereignty of the Supreme Legislator, who, if he has given power to the rulers, has likewise determined and set its limits.
>
> Civil sovereignty, in fact, was desired by the Creator in order that it might regulate social life according to the prescriptions of an order which is unchangeable in its universal principles, and that it might help the human being, in the temporal order, to attain physical, intellectual, and moral perfection and assist him in reaching his supernatural goal.

> It is therefore, the noble prerogative and mission of the state to control, help, and regulate the private and individual activities of national life, to make them converge harmoniously in the common good, which cannot be determined by arbitrary conceptions, nor draw its standards primarily from the material prosperity of society, but rather from the harmonious development and the natural perfection of man, for which society is destined, as a means, by the Creator.
>
> To consider the state as an end, to which everything should be subordinated and directed, could only do harm to the true and lasting prosperity of nations. And that happens both when this unlimited authority is attributed to the state on behalf of the nation, the people, or even a social class, and when it is claimed by the state, as the absolute master, acting independently from any mandate.[14]

Actual Recognition of Human Rights

Ever since its English beginnings in the first half of the 17th century, Freemasonry advocated a sort of new religion: a morality without religion (Shaftesbury), a "Christianity without mysteries" (Toland), a "natural law," "as if God did not exist" (Grotius), a *humanism* hostile to God's "interference" in human affairs. These principles eventually inspired the American constitution to a large extent, through Locke's liberalism, and, to a much larger extent, the Declaration of the Rights of Man and of the Citizen, included in the French constitution of 1791. In the former case, it was embodied in the "separation of Church and state" in the sense of excluding God from the juridical order, as religion is a "private matter." In the latter case, it was expressed in the secularization and nationalization of the Church. And in both cases, they were thus forced to absolutize the right of private property, as the *only* guarantee of liberty and thereby the indispensable qualification for political franchise, thus leaving society without a sufficient legal basis for the promotion of the common good and social justice (see Chapter 2 above: Liberalism and Socialism).

Remnants of these principles are to be found in the Universal Declaration of Human Rights, adopted by the United Nations Organization in 1948. It contains two groups of rights:

> (a) Civil and political rights recognized in democratic constitutions, such as right to life, liberty and the security of person; freedom from arbitrary arrest, detention or exile; right to a fair and public hearing by an independent and impartial court; freedom of thought, conscience and religion (this is the famous "freedom of conscience" of the Freemasons, which amounts to substituting man for God, since it

14 Pius XII, enc. *Summi Pontificatus* (1939).

means that it is up to man to choose his own God); and freedom of peaceful assembly and association.
(b) Economic, social and cultural rights, such as right to social security; right to work; right to education; right to participate in the cultural life of the community; and right to share in scientific advancement and its benefits, and to enjoy the arts.

Under the auspices of the Council of Europe, the western European nations signed in 1950 the European Convention of Human Rights, and in 1959 they set up a European Court of Human Rights to enforce this convention. The precarious basis of this juridical order, however, due to having rejected God as its ultimate foundation, shows up in the shipwreck of moral values engulfing the Western world in the last third of the 20th century and avidly exploited by Marxism, which is the materialist radicalization of humanism, absorbing the individual man into the impersonal social man of an absolutized society with nothing beyond.

By contrast, Pope John XXIII in his encyclical *Pacem in Terris* (1963) mentions twelve specific human rights based on the nature of the human person, understanding human life as originating from God and tending to him:

1. Right to life, bodily integrity, security, and employment;
2. Right to respect and good reputation;
3. Right to freedom of research and expression within the limits of the common good;
4. Right to truthful information from mass media;
5. Right to education, and technical and professional training in accordance with the standards of society;
6. Right to worship God according to one's conscience, both privately and publicly (this is the *religious freedom* from outside coercion, ratified by the Second Vatican Council,[15] not to be confused with the religious indifferentism of the Masonic "freedom of conscience," that makes all religions the same because it despises all of them, particularly the Catholic Faith);
7. Right to choose state in life freely: to marry or not to marry (in the case of marriage, husband and wife have equal rights);
8. Right to work and private enterprise, to decent working conditions, to a just remuneration, and to private ownership;
9. Right of assembly and association, within the common good;

15 Cf. Declaration *Dignitatis Humanae* (1965).

10. Right to emigrate and immigrate;
11. Right to take part in public affairs;
12. Right to juridical protection of his rights: effective, impartial and inspired by justice.[16]

16 This list of natural rights is logically derived from the precepts of the natural law, which St Thomas Aquinas shows can be discovered as inherent in the nature of man. Here is his unparalled metaphysical explanation:

"A certain order is to be found in those things that are apprehended universally. For that which, before aught else, falls under apprehension, is *being*, the notion of which is included in all things whatsoever a man apprehends. Wherefore the first indemonstrable principle is that *the same thing cannot be affirmed and denied at the same time*, which is from the notion of *being* and not-*being*; and on this principle all others are based, as is stated in *Metaph.* iv, text 9. Now as *being* is the first thing that falls under the apprehension simply, so *good* is the first thing that falls under the apprehension of the practical reason, which is direction to action: since every agent acts for an end under the aspect of good. Consequently the first principle in the practical reason is one founded on the notion of good, namely that *good is that which all things seek after.* Hence this is the first precept of law, that *good is to be done and pursued, and evil is to be avoided.* All other precepts of the natural law are based upon this: so that whatever the practical reason naturally apprehends as man's good (or evil) belongs to the precepts of the natural law as something to be done or avoided.

"Since, however, good has the nature of an end, and evil, the nature of contrary, hence it is that all those things to which man has a natural inclination, are naturally apprehended by reason as being good, and consequently as objects of pursuit, and their contraries as evil, and objects of avoidance. Wherefore according to the order of natural inclinations, is the order of the precepts of the natural law. Because in man there is first of all an inclination to good in accordance with the nature which he has in common with all substances: inasmuch as every substance seeks the preservation of its own being, according to its nature: and by reason of this inclination, whatever is a means of preserving human life and of warding off its obstacles, belongs to the natural law. Secondly, there is in man an inclination to things that pertain to him more specially, according to that nature which he has in common with other animals: and in virtue of this inclination, those things are said to belong to the natural law, 'which nature has taught to all animals' (*Pandect. Just.,* I. tit. i), such as sexual intercourse, education of offspring and so forth. Thirdly, there is in man an inclination to good, according to the nature of his reason, which nature is proper to him: thus man has a natural inclination to know the truth about God, and to live in society: and in this respect, whatever pertains to this inclination belongs to the natural law; for instance, to shun ignorance, to avoid offending those among whom one has to live, and other such things regarding the above inclination." *Summa Theologiae*, I-II, 94, 4.

Chapter 6

The Enforcement of the Law

Coercive Power of the Law

The freedom of man consists not in choosing his last end, for he is only a creature, but in directing himself to it by choosing the appropriate means without any coercion from outside. Only the requirements of the common good may justify the use of whatever coercion may be necessary. St. Thomas Aquinas states the problem as follows:

> A law, properly speaking, regards first and foremost the order to the common good. Now to order anything to the common good, belongs either to the whole people, or to someone who is the vicegerent of the whole people. And therefore the making of a law belongs either to the whole people or to a public personage who has care of the whole people . . . .
>
> A private person cannot lead another to virtue efficaciously: for he can only advise, and if his advice be not taken, it has no coercive power, such as the law should have, in order to prove an efficacious inducement to virtue . . . But this coercive power is vested in the whole people or in some public personage, to whom it belongs to inflict penalties . . . .
>
> As one man is a part of the household, so a household is a part of the state: and the state is a perfect community, according to *Polit.* i, 1. And therefore, as the good of one man is not the last end, but is ordained to the common good, so too the good of one household is ordained to the good of a single state, which is a perfect community.

> Consequently he that governs a family, can indeed make certain commands or ordinances, but not such as to have properly the force of law.[1]

Moral and Physical Coercion

To what extent may the law be enforced? In the previous chapter, the distinction was made between natural law and positive law, morality and legality. Parallel to it is the distinction between moral and physical coercion: the former may be without the latter, but not the other way around. I may be *morally* bound (or coerced) to lend assistance to someone without any *legal* obligation (or physical coercion) to do so.

Consequent with their denial of the natural law (see previous chapter), Kant and the legal positivists deny the existence of moral coercion, and admit only the physical coercive power of civil law, saying that this coercive power belongs to the essence of right. Coercion, however, is not of the essence of right, but only a property of right, because a right may remain unenforced, i.e., without applying any physical force, while retaining its moral coercion.

We are not saying that any moral coercion calls for a physical coercion, but that only a moral coercion can provide the basis for physical coercion: the latter must be based on justice, in the same way as legality must be based on morality: "As regards princes, the public power is entrusted to them that they may be the guardians of justice: hence it is unlawful for them to use violence or coercion, save within the bounds of justice."[2]

The Various Kinds of Justice

In order to see more clearly how and to what extent physical force may be applied to enforce the law, we must now discuss the various analogical types of justice and how they are related.

St. Thomas Aquinas first distinguishes between "general" and "particular" justice: the former is directed to the common good as such, or to society or to all men in general. He calls it *legal*, although nowadays it is rather

1 *Summa Theologiae*, I-II, 90, 3.
2 *Ibid.*, II-II, 66, 8.

called *social*,[3] while legal justice refers more specifically to the obedience due to just civil laws. This is how he puts it:[4]

> Justice, as stated above (A.2) directs man in his relations with other men. Now this may happen in two ways: first as regards his relations with individuals, secondly as regards his relations with others in general, insofar as a man who serves a community, serves all those who are included in that community. Accordingly justice in its proper acceptation can be directed to another in both these senses. Now it is evident that all who are included in a community, stand in relation to that community as parts of a whole; while a part, as such, belongs to a whole, so that whatever is the good of a part can be directed to the good of the whole. It follows therefore that the good of any virtue, whether such virtue directs man in relation to himself, or in relation to certain other individual persons, is referable to the common good, to which justice directs: so that all acts of virtue can pertain to justice insofar as it directs man to the common good. It is in this sense that justice is called a general virtue. And since it belongs to the law to direct to the common good, as stated above (I-II, 90, 2), it follows that the justice which is in this way styled general, is called *legal justice*, because thereby man is in harmony with the law which directs the acts of all virtues to the common good.

Then he goes on to distinguish between "commutative" and "distributive" justice.[5]

> As stated above (Q. 58, AA. 7, 8), particular justice is directed to the private individual, who is compared to the community as a part to the whole. Now a twofold order may be considered in relation to a part. In the first place there is the order of one part to another, to which corresponds the order of one private individual to another. This order is directed by commutative justice, which is concerned about the mutual dealings between two persons. In the second place there is the order of the whole towards the parts, to which corresponds the order

3 See for example Pius XI in the encyclical *Quadragesimo Anno* (1931):
"Since the present system of economy is founded chiefly upon ownership and labor, the principles of right reason, that is, of Christian social philosophy, must be kept in mind regarding ownership and labor and their association together, and must be put into actual practice. First, so as to avoid the reefs of individualism and collectivism, the twofold character, that is, individual and social, both of capital and of work or labor, must be given due and rightful weight. Relations of one to other must be made to conform to the laws of strictest justice—commutative justice, as it is called—with the support, however, of Christian charity. Free competition, kept within definite and due limits, and, still more, economic dictatorship, must be effectively brought under public authority in these matters which pertain to the latter's function. The public institutions themselves of nations, moreover, ought to make all human society conform to the needs of the common good; that is, to the norm of social justice."
4 *Summa Theologiae*, II-II, 58, 5.
5 *Ibid.*, II-II, 61, 1.

> of that which belongs to the community in relation to each single person. This order is directed by distributive justice, which distributes common good proportionately.

We can now summarize the various kinds of justice as follows:

1. *Commutative justice* (from L. *commutari*, to exchange): justice between equals; e.g. a contract, *quid pro quo*, this for that, an exchange—if unfulfilled, it demands restitution strictly.
2. *Distributive justice:* between the state and society—promoting the common good in accordance with justice; e.g. providing employment for all when private enterprise cannot do it by itself, planning the economy with a view to a just distribution of wealth, etc.
3. *Legal justice:* between man and the state—the citizen is bound by justice to obey and fulfill the just laws framed by the state to promote the common good.
4. *Social justice:* between man and society—it transcends the other three as civil or social friendship transcends mere justice while requiring it (see Chapter 2 above: The True Philosophy of the Common Good). This is why civil or positive law, no matter how perfect, is not enough (*summum ius, summa iniuria,* said the Romans) if there is no civil friendship, just as the duties of morality go beyond those of legality and cannot as such be legislated by human law. Thus, a citizen is bound by social justice to use his material possessions, always taking the common good into consideration, but no human law can dictate to him how exactly he should to this.

Economic liberalism is blind to social justice (see Chapter 2): people imbued with this ideology, even when they do social work, they do so not out of justice, let alone out of love, but out of convenience or for the sake of peace and order. On the other hand, socialism makes a fetish of social justice, to the extent of obliterating the other three.

Executive Power of the State

The function of the state is both to protect the rights of the individual and to promote the common good. This function carries the right to use the necessary means to promote the common good within the limits, however, of distributive and legal justice:

> As stated above (A. 2), it is lawful to kill an evildoer in so far as it is directed to the welfare of the whole community, so that it belongs to him alone who has charge of the community's welfare. Thus it belongs to a physician to cut off a decayed limb, when he has been entrusted with the care of the health of the whole body. Now the

> care of the common good is entrusted to persons of rank having public authority: wherefore they alone, and not private individuals, can lawfully put evildoers to death.[6]

On the other hand, the state has no right to physically enforce social justice as such, though it has the duty to promote it through distributive justice: the sphere of personal conscience (man's personal link with God through the moral law) remains outside the competence of human law (legality), which can only legislate on externals.

Private Enforcement of Rights

Granted that only public authority has the power of physical coercion for the sake of the common good, may a private individual enforce his rights physically if public authority is not there for one reason or another?

St. Thomas Aquinas discusses this point, applying the double-effect principle in the context of self-defense:[7]

> Nothing hinders one act from having two effects, only one of which is intended, while the other is beside the intention. Now moral acts take their species according to what is intended, and not according to what is beside the intention . . . Accordingly the act of self-defense may have two effects, one is the saving of one's life, the other is the slaying of the aggressor. Therefore this act, since one's intention is to save one's own life, is not unlawful, seeing that it is natural to everything to keep itself in *being,* as far as possible. And yet, though proceeding from a good intention, an act may be rendered unlawful, if it be out of proportion to the end. Wherefore if a man, in self-defense, uses more than necessary violence, it will be unlawful: whereas if he repel force with moderation, his defense will be lawful, because according to the jurists, *it is lawful to repel force by force, provided one does not exceed the limits of a blameless defense.* Nor is it necessary for salvation that a man omit the act of moderate self-defense in order to avoid killing the other man, since one is bound to take more care of one's own life than of another's. But as it is unlawful to take a man's life, except for the public authority acting for the common good, as stated above (A. 3), it is not lawful for a man to intend killing a man in self-defense, except for such as have public authority, who while intending to kill a man in self-defense, refer this to the public good, as in the case of a soldier fighting against the foe, and in the minister of the judge struggling with robbers, although even these sin if they be moved by private animosity.

6 *Ibid.*, II-II, 64, 3.
7 *Ibid.*, II-II, 64, 7. See also II-II, 41, 1.

Consequently, the conditions required for a lawful enforcement of rights by a private individual (morally, and thereby legally) are:

1. Only the defense of the right is intended: no mere vindictiveness.
2. The right cannot be defended otherwise.
3. Force is employed to meet force.
4. The right is of vital importance.

Constituent Elements of the Coercive Power of Right

In the light of the above, therefore, the coercive power of right includes:

1. The moral power to use force so as to prevent the injury of a right: self-defense.
2. The moral power to secure reparation for the injured right. This reparation includes two elements: (a) restitution, which applies specifically to commutative justice; and (b) the imposition of a penalty, which has two purposes: first, to redress the balance, and second, to cure or restore moral health (correction or reform).

St. Thomas Aquinas discusses all these in the context of the virtue of vengeance (as distinct from vindictiveness):[8]

> Vengeance consists in the infliction of a penal evil on one who has sinned. Accordingly, in the matter of vengeance, we must consider the mind of the avenger. For if his intention is directed chiefly to the evil of the person on whom he takes vengeance, and rests there, then his vengeance is altogether unlawful: because to take pleasure in another's evil belongs to hatred, which is contrary to the charity whereby we are bound to love all men. Nor is it an excuse that he intends the evil of one who has unjustly inflicted evil on him, as neither is a man excused for hating one that hates him: for a man may not sin against another just because the latter has already sinned against him, since this is to be overcome by evil, which was forbidden by the Apostle, who says (Rom 12:21): "Be not overcome by evil, but overcome evil by good."
>
> If, however, the avenger's intention be directed chiefly to some good, to be obtained by means of the punishment of the person who has sinned (for instance that the sinner may amend, or at least that he may be restrained and others be not disturbed, that justice be upheld, and God honored), then vengeance may be lawful, provided other due circumstances be observed . . .

8 *Ibid.*, II-II, 108.

> As the Philosopher states (*Ethic.* ii, *1*), aptitude to virtue is in us by nature, but the complement of virtue is in us through habituation or some other cause. Hence it is evident that virtues perfect us so that we follow in due manner our natural inclinations, which belong to the natural right. Wherefore to every definite natural inclination there corresponds a special virtue. Now there is a special inclination of nature to remove harm, for which reason animals have the irascible power distinct from the concupiscible. Man resists harm by defending against wrongs, lest they be inflicted on him, or he avenges those which have already been inflicted on him, with the intention, not of harming, but of removing the harm done. And this belongs to vengeance, for Tully says that "by vengeance we resist force, or wrong, and in general whatever is obscure (i.e. derogatory), either by self-defense or by avenging it." Therefore vengeance is a special virtue . . .
>
> Just as repayment of a legal debt belongs to commutative justice, and as repayment of a moral debt, arising from the bestowal of a particular favor, belongs to the virtue of gratitude, so too the punishment of sins, so far as it is the concern of public justice, is an act of commutative justice; while so far as it is concerned in defending the rights of the individual by whom a wrong is resisted, it belongs to the virtue of vengeance . . .
>
> Vengeance is lawful and virtuous so far as it tends to the prevention of evil . . .
>
> Punishment may be considered in two ways. First, under the aspect of punishment, and in this way punishment is not due save for sin, because by means of punishment the equality of justice is restored, in so far as he who by sinning has exceeded in following his own will suffers something that is contrary to his will . . . Secondly, punishment may be considered as a medicine, not only healing the past sin, but also preventing from future sin, or conducing to some good.

Chapter 7

Private Ownership

Man's Natural Right to Own Things

In his *Summa Theologiae* (II-II, 66, 1), St. Thomas Aquinas poses the question "Whether it is natural for man to possess external things?" If God as Creator possesses all things, how can man possess anything? This is his reply:

> External things can be considered in two ways. First, as regards their nature, and this is not subject to the power of man, but only to the power of God whose mere will all things obey. Secondly, as regards their use, and in this way, man has a natural dominion over external things, because, by his reason and will, he is able to use them for his own profit, as they were made on this account: for the imperfect is always for the sake of the perfect, as stated above (Q. 64, A. 1). It is by this argument that the Philosopher proves (*Polit.* i, 3) that the possession of external things is natural to man. Moreover, this natural dominion of man over other creatures, which is competent to man in respect of his reason wherein God's image resides, is shown forth in man's creation (Gen 1:26) by the words: 'Let us make man to Our image and likeness: and let him have dominion over the fishes of the sea, etc.

So, man has a natural right to private property on the basis of:

(a) his *rational* nature, whereby he uses his reason to provide for the future, which he could not do if he had no right to possess material things as his own; and
(b) his *social* nature, which prompts him to provide for his own family, which he can only do if he has stable property.

However, since this right belongs to each and every man, it is part of the common good of society. Society (positive right or *ius gentium*) has actually determined the apportioning of material goods, but it has to do it always in accordance with the more basic right (natural right) of *all men* to all material goods.

The Two Aspects of Private Property: Individual and Social

St. Thomas Aquinas tackles this point in the next article of the same question ("Whether it is lawful for a man to possess a thing as his own?"):

> Two things are competent to man in respect of exterior things. One is the power to procure and dispense them, and in this regard it is lawful for man to possess property. Moreover, this is necessary to human life for three reasons. First, because every man is more careful to procure what is for himself alone than that which is common to many or to all: since each one would shirk the labor and leave to another that which concerns the community, as happens where there is a great number of servants. Secondly, because human affairs are conducted in more orderly fashion if each man is charged with taking care of some particular thing himself, whereas there would be confusion if everyone had to look after any one thing indeterminately. Thirdly, because a more peaceful state is ensured to man if each one is contented with his own. Hence it is to be observed that quarrels arise more frequently where there is no division of the things possessed.

This highlights the individual aspect of private property, but then he goes on to show its social aspect, inseparable from the former:

> The second thing that is competent to man with regard to external things is their use. In this respect, man ought to possess external things, not as his own, but as common, so that, to wit, he is ready to communicate them to others in their need. Hence, the Apostle says (1 Tim. 6:17-18): *Charge the rich of this world . . . to give easily, to communicate to others, etc.*

And then, in his reply to the objection whereby there should be no private property since "according to the natural law all things are common property," he states:

> Community of goods is ascribed to the natural law, not that the natural law dictates that all things should be possessed in common and that nothing should be possessed as one's own: but because the division of possessions is not according to the natural law, but rather arose from human agreement which belongs to positive law, as stated above (Q. 57, AA. 2, 3). Hence the ownership of possessions is not contrary to the natural law, but an addition thereto devised by human reason.

Earlier, he had stated the following:

> The temporal goods which God grants us, are ours as to the ownership, but as to the use of them, they belong not to us alone but also to such others as we are able to succor out of what we have over and above our needs. Hence Basil says: *If you acknowledge them, viz. your temporal goods, as coming from God, is he unjust because he apportions them unequally? Why are you rich, while another is poor, unless it be that you may have merit of a good stewardship, and he the reward of patience? It is the hungry man's bread that you withhold, the naked man's cloak that you have stored away, the shoe of the barefoot that you have left to rot, the money of the needy that you have buried underground: and so you injure as many as you might help.* Ambrose expresses himself in the same way.[1]

Teaching of the Catholic Church

This has always been the teaching of the Catholic Church. For example, Pius XII[2]:

> Every man, as being endowed with reason, has from nature the basic right to use the material goods of the earth, it being, however, left to the human will and to the juridical forms of people to regulate more particularly its practical achievement. This individual right cannot in any way be suppressed, not even by other sure and unquestioned rights upon material goods.
>
> Without doubt, the natural order, derived from God, also requires that there should be private ownership and free reciprocal trading of goods with exchanges and gifts, as also the controlling function of public authority over both these institutions. All this, nevertheless, is

1 *Summa Theologiae*, II-II, 32, 5 ad 2.
2 Address 1 June 1941 (Fiftieth anniversary of *Rerum Novarum*).

> subordinated to the natural purpose of material goods and could not make itself independent of the first and fundamental right which grants their use to all; rather, it should serve to make its achievement possible in accordance with its aim. In this way only can and must be ensured, that the ownership and use of material goods will bring to society fruitful peace and stability instead of precarious conditions engendering struggles and jealousy, and leaving society at the mercy of the implacable play between the strong and the weak.
>
> The original right to the use of material goods, being closely connected with the dignity and other rights of the human person, offers him with the abovementioned forms a sure material foundation of the utmost importance, as it enables him to rise to the fulfillment of his moral duties. The protection of this right will ensure the personal dignity of man and will help him to attend to and carry out freely the sum of those permanent obligations and resolutions for which he is directly responsible to the Creator. Indeed, man has the entirely personal duty of preserving and perfecting his material and spiritual life, in order to secure the religious and moral aim which God has assigned to all men and given them as a supreme law, binding always and in all cases, to be observed before all other duties.

And the Second Vatican Council[3]:

> God intended the earth and all that it contains for the use of every human being and people. Thus, as all men follow justice and unite in charity, created goods should abound for them on a reasonable basis. Whatever the form of ownership may be, as adapted to the legitimate institutions of people according to diverse and changeable circumstances, attention must always be paid to the universal purpose for which created goods are meant. In using them, therefore, a man should regard his lawful possessions not merely as his own but also as common property in the sense that they should accrue to the benefit not only of himself but of others.

And Paul VI[4]:

> "Fill the earth and subdue it" (Gen 1:28): the Bible, from the first page on, teaches us that the whole creation is for man, that it is his responsibility to develop it by intelligent effort and by means of his labor to perfect it, so to speak, for his use. If the world is made to furnish each individual with the means of livelihood and the instruments for his growth and progress, each man has therefore the

3 Pastoral constitution *Gaudium et Spes* (1965), no. 69.
4 Enc. *Populorum Progressio* (1967).

> right to find in the world what is necessary for himself. The recent Council reminded us of this: "God intended the earth and all that it contains for the use of every human being and people. Thus, as all men follow justice and unite in charity, created goods should abound for them on a reasonable basis" (*Gaudium et Spes,* no. 69). All other things whatsoever, including those of property and of free commerce, are to be subordinated to this principle. They should not hinder but on the contrary favor its application. It is a grave and urgent social duty to redirect them to their primary finality.

Wrong Ideologies

This being the constant teaching of the Catholic Church, it is no wonder that the two ideologies that gradually emerged in Europe as a result of the rebellion against it reduced private ownership to either the individual aspect (individualistic liberalism) or the social aspect (collectivistic socialism): see Chapter 2 above.

Bourgeois liberalism and its worship of private ownership stemmed from the *bourgeoisie*, which was the social grouping made up of tradesmen and industrialists living in towns (*bourg* in French) in post-Renaissance Europe. They became a powerful pressure-group, thanks to their enrichment through *industry* (a term which originally means productive labor), which made them very conscious of the individual right of private ownership. They thus made it the most basic civil right and tended to make it *absolute and without limits.*

The rallying cry of the bourgeois liberal revolutions from the 17th to the 19th centuries was "freedom," in two senses: (i) the freedom and independence of the *individual*, brought about and guaranteed by his private property, and (ii) in its turn, the guarantee of the preservation of the right of private property as the most basic and absolute right.

A climactic crisis was reached in the Industrial Revolution of the first half of the 19th century, which led to a sharpening of economic and thence, social inequalities between the propertied and the non-propertied class.

Socialism and its passion for equality was already active during the English Revolution of mid-17th century, where the liberal ideology emerged triumphant. During this revolution, there were groups (the so-called Levellers, and the Diggers) who advocated strict equality and the abolition of private ownership. Later, during the French Revolution of 1789, Gracchus Babeuf was also a radical socialist. But it was during the Industrial Revolution of the first half of the 19th century that socialist groups and philosophies proliferated, especially in France. Some of them were radical egalitarians of the Babeuf type, like Etienne Cabet, who coined the term communism, and

Louis Blanc, who authored the famous formula later borrowed by Marx: "From each according to his ability, to each according to his need." Others were anti-egalitarians, like Saint-Simon, Fourier and Proudhon. But what they had in common was their repudiation of private property ("Private property is theft," said Proudhon) and their aim to put an end to the "exploitation of man by man," a phrase first employed by Archbishop Giraud of Cambrai in 1845, and eagerly appropriated by these socialists, including Marx. They maintained that all things are owned in common by all men and private property should be abolished.

In 1891, Leo XII issued his classical encyclical *Rerum Novarum,* in which he lucidly expounded the Church's teaching while denouncing the disastrous effects of those two ideologies then threatening society:

> In any case we clearly see, and on this there is general agreement, that some opportune remedy must be found quickly for the misery and wretchedness pressing so unjustly on the majority of the working class: for the ancient workingmen's guilds were abolished in the last century, and no other protective organization took their place. Public institutions and the laws set aside the ancient religion. Hence, by degrees it has come to pass that working men have been surrendered, isolated and helpless, to the hard-heartedness of employers and the greed of unchecked competition. The mischief has been increased by rapacious usury, which, although more than once condemned by the Church, is nevertheless, under a different guise, but with like injustice, still practiced by covetous and grasping men. To this must be added that the hiring of labor and the conduct of trade are concentrated in the hands of comparatively few; so that a small number of very rich men have been able to lay upon the teeming masses of the laboring poor a yoke little better than that of slavery itself.
>
> To remedy these wrongs, the socialists, working on the poor man's envy of the rich, are striving to do away with private property, and contend that individual possessions should become the common property of all, to be administered by the state or by municipal bodies. They hold that by thus transferring property from private individuals to the community, the present mischievous state of things will be set to right, inasmuch as each citizen will then get his fair share of whatever there is to enjoy. But their contentions are so clearly powerless to end the controversy that were they carried into effect, the working man himself would be among the first to suffer. They are, moreover, empathically unjust, for they would rob the lawful possessor, distort the functions of the state, and create utter confusion in the community.

It is surely undeniable that, when a man engages in remunerative labor, the impelling reason and motive of his work is to obtain property, and thereafter to hold it as his very own. If one man hires out to another his strength or skill, he does so for the purpose of receiving in return what is necessary for the satisfaction of his needs; he therefore expressly intends to acquire a right full and real, not only to the remuneration, but also to the disposal of such remuneration, just as he pleases. Thus, if he lives sparingly, saves money, and, for greater security, invests his savings in land, the land, in such case, is only his wages under another form; and, consequently, a working man's little estate thus purchased should be as completely at his full disposal as are the wages he receives for his labor. But it is precisely in such power of disposal that ownership obtains, whether the property consist of land or chattels. Socialists, therefore, by endeavoring to transfer the possessions of individuals to the community at large, strike at the interests of every wage-earner, since they would deprive him of the liberty of disposing of his wages, and thereby of all hope and possibility of increasing his resources and of bettering his condition in life.

What is of far greater moment, however, is the fact that the remedy they propose is manifestly against justice. For, every man has by nature the right to possess property as his own. This is one of the chief points of distinction between man and the animal creation, for the brute has no power of self-direction, but is governed by two main instincts, which keep his powers on the alert, impel him to develop them in a fitting manner, and stimulate and determine him to action without any power of choice. One of these instincts is self-preservation, the other the propagation of the species. Both can attain their purpose by means of things which lie within range; beyond their verge the brute creation cannot go, for they are moved to action by their senses only, and in the special direction which these suggest. But with man it is wholly different. He possesses, on the one hand, the full perfection of the animal being, and hence enjoys at least as much as the rest of the animal kind, the fruition of things animal. But animal nature, however perfect, is far from representing the human being in its completeness, and is in truth but humanity's humble handmaid, made to serve and to obey. It is the mind, or reason, which is the predominant element in us who are human creatures; it is this which renders a human being human, and distinguishes him essentially from the brute. And on this very account—that man alone among the animal creation is endowed with reason—it must be within his right to possess things not merely for temporary and momentary use, as other living things do, but to have and to hold them in stable and permanent possession; he must have not only things that perish in the use, but those also which, though

they have been reduced into use, continue for further use in after time.

This becomes still more clearly evident if man's nature be considered a little more deeply. For man, fathoming by his faculty of reason, matters without number, linking the future with the present, and being master of his own acts, guides his ways under the eternal law and the power of God, whose providence governs all things. Wherefore, it is in his power to exercise his choice not only as to matters that regard his present welfare, but also about those which he deems may be for his advantage in time yet to come. Hence, man not only should possess the fruits of the earth, but also the very soil, inasmuch as from the produce of the earth he has to lay by provision for the future. Man's needs do not die out, but forever recur; although satisfied today, they demand fresh supplies for tomorrow. Nature accordingly must have given to man a source that is stable and remaining always with him, from which he might look to draw continual supplies. And this stable condition of things he finds solely in the earth of its fruits. There is no need to bring in the state. Man precedes the state, and possesses, prior to the formation of any state, the right of providing for the sustenance of his body.

The fact that God has given the Earth for the use and enjoyment of the human race can in no way be a bar to the owning of private property. For God has granted the earth to mankind in general, not in the sense that all without distinction can deal with it as they like, but rather that no part of it was assigned to any one in particular, and that the limits of private possession have been left to be fixed by man's own industry, and by the laws of individual races. Moreover, the earth, even though apportioned among private owners, ceases not thereby to minister to the needs of all, inasmuch as there is not one who does not sustain life from what the land produces. Those who do not possess the soil contribute their labor; hence it may truly be said that all human subsistence is derived either from labor on one's own land, or from some toil, some calling, which is paid for either in the produce of the land itself, or in that which is exchanged for what the land brings forth.

Private Property and the Common Good

Forty years later, Pius XI ratified the same teaching in another classical encyclical, *Quadragesimo Anno* (1931):

> First, then, let it be considered as certain and established, that neither Leo nor those theologians who have taught under the guidance and authority of the Church, have ever denied or questioned the twofold character of ownership, called usually

> individual or social according as it regards either separate persons or the common good. For they have always unanimously maintained that nature, rather than the Creator himself, has given man the right of private ownership not only that individuals may be able to provide for themselves and their families but also that the goods which the Creator destined for the entire family of mankind may, through this institution, truly serve this purpose. All this can be achieved in no wise except through the maintenance of a certain and definite order.
>
> Accordingly, twin rocks and shipwreck must be carefully avoided. For, as one is wrecked or almost wrecked upon what is known as "individualism," by denying or minimizing the social and public character of the right of property, so by rejecting or minimizing the private and individual character of this same right, one inevitably runs into "collectivism" or at least closely approaches its tenets.

These two ideologies came under fire again with Pius XII[5] in the name of the common good:

> In his encyclical *Rerum Novarum*, Our glorious predecessor Leo XIII enunciated the principle that for every just economic and social order, *the right of private property must be set as an unshakeable foundation.*
>
> If it is true that the Church has always recognized *the natural right of property and the hereditary transmission of one's belongings* (*Quadragesimo Anno*), it is, however, no less certain that this private property is in a special way the natural fruit of labor: the product of an intense activity of man, who acquires it, thanks to his energetic determination to safeguard and develop, with his own strength, his own existence and that of his family, to create for himself and his own, a sphere of just freedom, not only of an economic nature, but also political, cultural, and religious.
>
> The Christian conscience cannot admit as just, a social order which either denies, on principle, or renders practically impossible or vain, the natural right of possession, both over consumer goods and over the means of production.
>
> But it cannot likewise accept those systems which recognize the right of private property according to a wholly false concept, and are therefore in contrast with the genuine and sane social order.
>
> Therefore, where, for example, "capitalism" is based on such erroneous conceptions and unduly claims for itself an unlimited right

5 Address of 1 September 1944 (On the fifth anniversary of the outbreak of World War II.)

on property, without any subordination to the common good, the Church has reproved it as contrary to natural law.

So, ownership has two dimensions: private and social. These two dimensions cannot be separated. Liberals only see the private aspect; socialists only the social aspect. But both must be taken into account in order to avoid social injustice. Thus, a man has the right to own, provided he pursues the common good, not just his own interest: the profit motive that ignores the common good is against social justice.

Objection from socialism: Society can provide for the needs of the individual and of the family, so there is no need for the individual to do so.

Answer: This is against the principle of subsidiarity (see Chapter 3). The individual and the family are prior to society. Socialism tends to submerge the family and the individual under "society," and so destroys personal responsibility. Without the initiative of the individual no economic progress is viable.

Objection from liberalism: So, it is the profit motive that counts in economic progress!

Answer: This is against the principle of solidarity (see Chapter 3). The selfish motive should not prevail: a responsible individual can and ought to plan for the future for the sake of his family, and in order to contribute to the overall economic progress of society (part of the common good). To the extent that the profit motive prevails, social justice suffers. Therefore one should not overlook the social dimension of private property.[6]

PRIVATE PROPERTY

SOCIAL ASPECT	INDIVIDUAL ASPECT
Solidarity	Private initiative
Concern for the common good	Self and family-interest
Economic development of society	Profit, but without injustice to others

(Private property balanced between the individual and the social aspects)

6 "Why, people ask, are the Christians no better than the non-Christians, if all that they claim for their faith is true? And the answer, insofar as the accusation is a true one, must be that we are influenced far more deeply than we know by the individualism we inherit and the selfish materialism with which we are surrounded. We are busy with the defense of man's right to property, and so we must be; but only if we remember that we are advocating no absolute right, only if we take care than in opposing one error we do not fall into a worse one. We have right to property, yes; but every right implies a corresponding duty, the right to property implies a duty to the common good—and the more we have, the greater our responsibility for that common good. We have a right to property, but only within the life of charity. We have a right to a house, a home; but it must be, not a fortress from which all are excluded, but a home where all can find a welcome." Gerald Vann, *The Divine Pity*, ch. VII.

Therefore:

1. Private ownership is a natural right of man (against socialism).
2. But it is severely limited and balanced by the requirements of the common good (against liberalism).

These requirements of the common good regarding material possessions can be summed up in three:

1. The obligation to reinvest surplus wealth into the economic process, so as to promote more employment and more wealth.
2. The obligation to pay a just salary, i.e. above mere subsistence level and taking into account the needs of the family.
3. The obligation to avoid the huge accumulation of lands or money leading to a despotic political domination by the few. In other words, to refrain from using economic power for selfish political ends.

Chapter 8

Family or Domestic Society

Family as the Natural Environment of the Individual

We have seen in Chapter 1 above that the material cause of society is not the individuals directly (this would be the position of liberalism), but the families. The individuals are rather the ultimate or remote material cause of society. Society therefore exists for the sake of the families, not the other way round (as socialism would have it).

Consequently, if the good of the family is fostered, promoted and protected by society, the individuals are in a position to grow up to their fulfilment in the best possible environment: the blend of (i) *privacy* (which fosters his individual autonomy and responsibility) and (ii) *affection* (which fosters his sociability), conducive to the development of the social virtues of a good citizen. The effectiveness of all other educational agencies depends on this primary and natural school for life: the family.

Family ethics needs therefore a most careful examination. There is no better social worker than one employing all his energy in the promotion of a morally healthy family life.

Let us then examine the concept of family or domestic society.

Two wrong ideologies, as we have seen, due to their wrong conception of the common good, envision society in a way which is detrimental to the well-being of the family. On the one hand, liberalism (individualism) regards society as nothing but the sum total of the individuals making it up. This ideology is therefore solely concerned with the "rights" of the individual, which it places above those of the family. Consequently, it will tend to advocate the "right" to divorce, to abortion, to sterilization, and to contraception, even though these are in conflict with the *rights of the family* to life, to stability, and to procreation.

On the other hand, socialism (collectivism) regards society as something higher than the individuals composing it, and subordinates their rights and those of the family to the rights of society incarnated in the state. The state will thus dictate to the families, in accordance with "national policy," what is the best line to follow. Since this "national policy" is determined by socialism in relation to economic or material welfare, conceived as the supreme goal (common goal) of society as a purely earthly institution, it will tend to introduce practices favoring population control regardless of the *rights of the family,* just like the other ideology.

For both liberalism and socialism, the rights of the family are to be ignored. The family is thus crushed between the claims of the individual and the claims of the collectivity. But this is a failure to realize that families are the *natural* units or constituents of society.

Natural Societies and Artificial Societies

In 1890, the German sociologist F. Toennies made an elaborate distinction between community (*Gemeinschaft*) and society (*Gesellschaft*), the former more instinctive and vital, as the basis of "culture," and the latter more rational and organized, as the basis of "civilization."

"Community" is a form of living together based more on nature, life, instinct; it is pre-rational, with the stress on links of mutual affection and distinctive clinging together: no awareness of rights and duties. It is found both in animals (beehive, anthill) and men (family, clan, tribe).

"Society" is an association worked out by reason and will, with the stress on the juridical order of rights and duties. It is only found among men (state or civil society, voluntary associations).

It is natural (instinctive) for both animals and men to form communities for mutual help. But man is also rational—he seeks to understand, to produce, to express himself, to relate means to ends by deliberate choice; he seeks the infinite, to live forever, to find perfection (justice) also in his living with his fellows.

Man seeks a perfect social order based on reason (justice: rights and duties) because with his reason, i.e. with his capacity to *understand permanent values and be motivated by them*, he transcends society and is prior to it (society is for man, not man for society: see Chapter 4 above). So, he tries to embody, as

faithfully as possible, that perfect order that he can perceive with his mind, both in his family life and in his social life.

At the same time, he is more bound to his fellows than animals are to one another (a human being is born at a much more underdeveloped stage than any other animal), and hence, the effort to create a just social order is not only a noble aspiration but a strict duty: man owes himself to society.

Many centuries before Toennies, Aristotle had already made a similar distinction. He explained that first there is the family. Then, through the amalgamation of families there are clans, then tribes, and finally nations. All these are *natural* societies.

But one of the rational or intellectual "virtues" or powers of man is "art" (*technê*), or the rational ingenuity for the "making" of things. Thanks to their art, men can make, among other things, "artificial" (i.e. man-made) societies, which, like all artificial products, are artificial only as to their form or pattern or design, not as to their matter or content, which of course is always "natural" (an elementary principle of all arts is that they must respect the "nature" or laws of the material they handle; for example, the sculptor cannot treat the stone in any ways he likes, or the painter the paints or surfaces he uses).

The state, an "artificial" or rational society, is a collectivity of men who agree to have a single government (see Chapter 1 above). The state will be more or less successful depending on how it manages or contrives to put together and harmonize all the "natural" elements of unity in a society. The most fundamental of these elements is not the individual, but the family, since the family is the most natural environment for the individual to grow up into his full stature.

The Family: Its Nature and Purpose

This is how St. Thomas Aquinas explains the *naturalness* of the family and its end or purpose. First in the *Summa Contra Gentiles*[1]:

> We have said that God exercises care over every person on the basis of what is good for him. Now, it is good for each person to attain his end, whereas it is bad for him to swerve away from his proper end. Now, this should be considered applicable to the parts, just as it is to the whole being; for instance, each and every part of man, and every one of his acts, should attain the proper end. Now, though the male semen is superfluous in regard to the preservation of the individual, it is nevertheless necessary in regard to the propagation of the species. Other superfluous things, such as excrement, urine, sweat, and such things, are not at all necessary; hence, their emission contributes to man's good. Now, this is not what is sought in the case of semen, but rather, to emit it for the purpose of generation, to

1 III, 122.

which purpose the sexual act is directed. But man's generative process would be frustrated unless it were followed by proper nutrition, because the offspring would not survive if proper nutrition were withheld. Therefore, the emission of semen ought to be so ordered that it will result in both the production of the proper offspring and in the upbringing of this offspring.

Again, we must consider that in the human species offspring require not only nourishment for the body, as in the case of other animals, but also education for the soul. For other animals naturally possess their own kinds of prudence whereby they are enabled to take care of themselves. But a man lives by reason, which he must develop by lengthy, temporal experience so that he may achieve prudence. Hence, children must be instructed by parents who are already experienced people. Nor are they able to receive such instruction as soon as they are born, but after a long time, and especially after they have reached the age of discretion. Moreover, a long time is needed for this instruction. Then, too, because of the impulsion of the passions, through which prudent judgment is vitiated, they require not merely instruction but correction. Now, a woman alone is not adequate to this task; rather, this demands the work of a husband, in whom reason is more developed for giving instruction and strength is more available for giving punishment. Therefore, in the human species, it is not enough, as in the case of birds, to devote a small amount of time to bringing up offspring, for a long period of life is required. Hence, since among all animals it is necessary for male and female to remain together as long as the work of the father is needed by the offspring, it is natural to the human being for the man to establish a lasting association with a designated woman, over no short period of time. Now, we call this society *matrimony*. Therefore, matrimony is natural for man, and promiscuous performance of the sexual act, outside matrimony, is contrary to man's good. From this reason, it must be a sin.

Then, in the *Summa Theologiae*[2]:

> A thing is said to be natural in two ways. First, as resulting of necessity from the principles of nature; thus upward movement is natural to fire. In this way matrimony is not natural, nor are any of those things that come to pass at the intervention or motion of the free will. Secondly, that is said to be natural to which nature inclines, although it comes to pass through the intervention of the free will; such acts of virtue and the virtues themselves are called natural; and in this way matrimony is natural, because natural reason inclines thereto in two ways. First, in relation to the principal end of matrimony, namely the good of the offspring. For nature intends not only the begetting of the offspring, but also its education and development until it reach the perfect state of man as man, and that is the state of virtue. Hence, according to the Philosopher (*Ethic.* Viii. 11, 12), we derive three things from our parents, namely, *existence, nourishment,* and *education.* Now a child cannot be brought up and instructed unless it has certain and definite parents, and this would not be the case unless there were a tie between the man and a definite woman, and it is in this that matrimony consists. Secondly, in relation to the secondary end of matrimony, which is the mutual services which married persons render one another in household matters. For just as natural reason dictates that men should live together, since one is not self-sufficient in all things concerning life, for which reason man is described as being naturally inclined to political society, so too among those works that are necessary for human life some are becoming to men, others to women. Wherefore nature inculcates that society of man and woman which consists in matrimony.

2 *Suppl.* 41, 1.

And later[3] he analyses the meaning of matrimony:

> Three things may be considered in matrimony. First, its essence, which is a joining together, and in reference to this it is called the *conjugal union*; secondly, its cause, which is the wedding, and in reference to this it is called the *nuptial union* from *nubo,*[4] because at the wedding ceremony, whereby the marriage is completed, the heads of those who are wedded are covered with a veil;[5] thirdly, the effect, which is the offspring, and in reference to this it is called *matrimony*, as Augustine says (*Contra Faust*, xix, 26), "because a woman's sole purpose in marrying should be motherhood." Matrimony may also be resolved into *matris munus*, i.e. a mother's duty, since the duty of bringing up the children chiefly devolves on the women; or into *matrem muniens*, because it provides the mother with a protector and support in the person of her husband.

So, the family is a natural society: it is natural for man to form a family. It is called "domestic society" (from Latin *domus:* household), "conjugal society" (from Latin *con-iux*: fellow-yoke-bearer), and "matrimonial society" (from Latin *matri munium*: defense for the source of life; see other derivations noted by St. Thomas in the text just referred to): the mother (i.e. the source of life) is the stable element of the family.

3 *Ibid.*, 44, 2.
4 The original meaning of *nubo* is *to veil.*
5 This is still the practice in some ethnic groups.

And what is the purpose (*final cause*) of the family? What brings husband and wife together? Or rather, for the sake of what do they come together?

To answer these questions accurately, we must distinguish first:

1. The purpose of the action (*finis operis*), and
2. The purpose of the agent (*finis operantis*).

Obviously these two purposes do not always coincide.[6] Applying them to marriage, one thing is the actual intention of the spouses, and the other is the purpose or end of the institution itself of marriage. These two may or may not coincide.

What is normal or natural end-product of the marriage union? The children: they are the fruit of the love between husband and wife, which brought them together as the *efficient cause*, or, to be more precise, which motivated them to become efficient causes of their marriage. That is why they feel so frustrated when they are childless, unless what brought them together is not real love or self-giving, but selfishness or love of self. But the children need to be brought up: they cannot do this by themselves. So, we can conclude: The *natural purpose* of marriage (irrespective of the actual intentions of husband and wife for coming together) is the begetting (procreation) and upbringing (education) of their children.[7]

A corollary to this is that the union should be stable. This stability, rooted in a conception of permanent love as distinct from fleeting (animal) love, is the guarantee and safeguard of the upbringing of the children, and shows the unnatural perversion of divorce. Any legislation, therefore, allowing divorce on whatever grounds implies a retrogressive step, as it recognizes that human love cannot be permanent: fidelity is rejected as a value.

Similar reasons warrant a second corollary: that the union should be of one man and one woman, which makes polygamy also a perversion of marriage (as well as polyandry). Besides, it degrades the status of woman as an equal partner of man. See the next chapter for more about divorce and polygamy.

6 The *sources of morality*, i.e. the standards to gauge the morality of a *human act* (i.e conscious and deliberate) are, in order of importance (i) the moral *object*, i.e. the *finis operis*; (ii) the circumstances (aggravating, mitigating, or extenuating), which are seven: who (*quis*), what (*quid*), where (*ubi*), with what aids (*quibus auxiliis*), why (*cur*), how (*quomodo*), when (*quando*); and (iii) the basic *subjective* intention of the agent, i.e. the *finis operantis*.

7 "Marriage and conjugal love are by their nature ordained towards the begetting and educating of children. Children are really the supreme gift of marriage and contribute very substantially to the welfare of their parents. The God himself who said, 'It is not good for man to be alone' (Gen 2:18) and 'who made man from the beginning male and female' (Mt 19:4), wished to share with man a certain special participation in his own creative work. Thus he blessed male and female, saying: 'Increase and multiply' (Gen 1:28)." II Vatican Council, Pastoral Constitution *Gaudium et Spes* (1965), no. 50.

The Causes of Marriage

We may now enumerate the causes of marriage, thus showing the depth of its being (its metaphysical roots) and thereby its ultimate ethical structure.

1. *Final* cause (purpose of the institution): *primarily,* the begetting and upbringing of the children; *secondarily*, i.e. not less important than but subordinate to the primary purpose, the mutual help and companionship with all its implications.
2. *Efficient* cause (what brings it about): the spouses motivated by a free decision to love each other for life, issuing into a *formal* and *public* (man lives naturally in society) declaration of remaining together until one of them dies.
3. *Formal* or constitutive cause (what makes it a marriage): the mutual self-giving thus expressed and never withdrawn (neither of the two has the right to do so if what they have entered into *is* a marriage union and not just animal mating).
4. *Material* cause: the living bodies of the spouses, over which they acquire mutual rights (not the souls, strictly speaking, since the sphere of conscience remains inviolable), although given the intimate union of body and soul, a closely knit spiritual and psychological mutual adjustment is highly desirable.

Chastity as a Social Virtue: The Sacredness of Human Life

St. Thomas Aquinas wrote:

> *Chastity* takes its name from the fact that reason *chastises* concupiscence, which, like a child, needs curbing, as the Philosopher states (*Ethic.*iii, 12). Now the essence of human virtue consists in being something moderated by reason, as shown above (I-II, 64, 1). Therefore it is evident that chastity is a virtue.[8]

We may now draw some more corollaries from the nature and purpose of marriage, as well as from the nature of the virtue of chastity, which consists in the ruling of sex by reason, whose function is to direct things to their end.

1. *Masturbation*, or self-abuse, is contrary to nature because the use of sexuality is naturally geared to another. On the other hand, *fornication*, or extra-marital sexual relations, is not in that sense contrary to nature (it *is* if they are homosexual, since then they are barren), although it is contrary to the rational nature of man, since it does not express the mutual self-giving of a lifelong union. And in the case of *adultery* (one at least of the parties is already bound

8 *Summa Theologiae*, II-II, 151, 1.

to another), it is also contrary to justice (damage to the rights of a third or even fourth person).

But masturbation is also contrary to the social nature of man, not only because it reflects self-centeredness, but because a person who is unwilling to control his vital urges is not adjusted to society, and so may easily injure justice in any of its forms (commutative, distributive, legal, social). Justice (see Chapter 6 above) is the rational disciplining of the instinctive tendencies of men to be selfish: it inclines man to think of, and be attentive to what is due to others. Someone who is only too willing to give himself satisfaction by any type of self-indulgence or self-abuse can hardly have the right disposition for justice: he is too preoccupied with himself.[9]

Moreover, marriage is not the solution for the problem of masturbation, since marriage also demands a great deal of capacity for self-control:

i. Against temptations of infidelity (very likely to occur);
ii. For those moments or periods when it would be imprudent or even unjust to have sexual relations (in case of the infectious disease of one of the two, for example), or when it is impossible to do so (enforced absence, for example).

2. The recourse to *artificial contraception* means giving up any attempt to practice the cardinal virtues of temperance and fortitude, with the consequent moral bankruptcy.

Artificial contraception (the use of any mechanical or chemical device to prevent conception, like the contraceptive pill, for example), as well as *onanism* or withdrawal (*coitus interruptus*), is resorted to for a variety of "reasons."

i. just to get all the pleasure out of it without accepting the ensuing responsibility (for example, when used in prostitution houses or in cases of seduction): this is obviously irresponsible, even if it is done by mutual consent—it degrades humans to a level below animals, since animals do not *invent* devices to prevent conception;
ii. for reasons not entirely or necessarily selfish: medical, eugenic, financial. There may even be very hard cases, but there always seems to be a possibility of practicing temperance and fortitude, even to a heroic degree (after all, sex is not the *end* of man: only God is, as we have seen in Chapter 1). The recourse to artificial contraceptives is in any case the easy way out: morally and thereby, socially debilitating.

9 Masturbation, homosexual and extra-marital sexual relations, as well as premarital sex, have been once again declared sinful by the authority of the pope in the statement of the Holy See, the Declaration *Persona Humana* of 29 December 1975.

This ought to be borne in mind by government officials who use all the power of the state to promote population control by:

a. Encouraging small families through taxation and housing policies;
b. Disseminating the cheap distribution of contraceptives;
c. Providing incentives for sterilization, or even enforcing it.

This is a very grave responsibility based on the same arguments that would warrant the elimination of all useless members of the community, such as the old, the infirm, and the feeble-minded, as it was practiced in Nazi Germany. Is this the way to uphold the sacredness of human life? The crux of the matter is that when human life is considered without reference to a transcendent God as source and end of it, it loses all its intrinsic value, whether this is done in the name of liberalism or of socialism.

The so-called sociological argument in favor of artificial contraception, i.e. that its use is very widespread statistically speaking, or that most people favor it, is entirely unacceptable:

a. Because the current or local mores cannot dictate the moral norm: by this token we would have to conclude that, for example, telling lies is not morally wrong, since most people do tell lies (what people *do* cannot be the norm of what they *ought to do*);
b. Because to yield to that sort of social pressure would show a serious lack of personal responsibility: one would have to renounce one's own conscience and surrender to a collective depersonalizing force (see Chapter 3).

The heroic, and therefore morally ennobling response to "hard cases" is *total continence*: it may be difficult, but certainly not impossible if one takes into account God's supernatural grace.

The less heroic, though morally permissible way out is *periodic continence* (rhythm method, temperature method, etc.). However, this would seem to be permissible only in really "hard cases," since it is not the ideal way of expressing love in marriage: it is contrary to spontaneity, and it can easily cloak selfish motives.[10]

10 An outstanding Christian witness of our time has spoken very boldly about this point, going to the root of the problem—the late Msgr. Josemaria Escrivá de Balaguer in his well-known book *Conversations*, no.94:

> There may be particular cases in which God's will, which shows itself in ordinary ways, is precisely that a family be small. Nevertheless, the theories that make birth control an ideal, or a universal or general duty, are criminal, anti-Christian and humanly degrading. To appeal to a presumed post-conciliar spirit opposed to large families would be to adulterate and pervert Christian doctrine. The Second Vatican Council has proclaimed that "especially worthy of mention among the married people who fulfill the mission entrusted to them by God, are those who, with prudent mutual agreement, generously accept more numerous offspring to educate worthily" (*Gaudium et Spes*, no. 50). Moreover, Pope Paul VI, in an address of 12 February 1966, commented 'that the recently concluded

3. Sterilization (removal of sexual organs, ligation of fallopian tubes, vasectomy, etc.) is contrary to nature, unless of course it is indirect and unintended.

Second Vatican Council should diffuse among Christian couples a spirit of generosity in order to increase the new people of God . . . that they should always remember that this expansion of God's kingdom and the possibilities of the Church's penetration among mankind in order to bring about eternal salvation and the salvation of the world are also entrusted to their generosity.'

The number is not in itself the decisive factor. The fact of having few or many children does not on its own make a family more or less Christian. What matters is the integrity and honesty with which married life is lived. True mutual love transcends the union of husband and wife and extends to its natural fruits—the children. Selfishness, on the contrary, sooner or later reduces love to a mere satisfaction of instinct and destroys the bond which unites parents and children. A child who suspects that he has come into the world against his parents' will, who feels he was born not of a pure love, but because of miscalculation or oversight, can hardly consider himself a good son—a true son—of his parents.

I was saying that, in itself, the number of children is not a decisive factor. Nevertheless I see clearly that attacks on large families stem from a lack of faith. They are the product of a social atmosphere which is incapable of understanding generosity, trying to conceal selfishness, and unmentionable practices under apparently altruistic motives. Paradoxically, the countries where most birth control propaganda is found, and which impose birth control on other countries, are precisely the ones which have attained a higher standard of living. Perhaps their economic and social arguments in favor of birth control could be taken more seriously if they led them to give away a sizeable part of their great wealth to those in need. Until then it will be hard not to think that the real motive behind their arguments is hedonism and ambition for political domination, for demographic neocolonialism.

I am not unaware of the great problems facing humanity, nor of the concrete difficulties which a particular family can come up against. I often think of this and my fatherly heart, which I have to have as a Christian and as a priest, is filled with compassion. Nevertheless, it is not lawful to look for the solution in this direction.

I do not understand how Catholics and even priests have for years advised, with an easy conscience, the use of the pill to prevent conception. The teaching of the popes cannot be disregarded just like that. Nor ought they to allege, as they do with incredible flippancy, that the pope when he does not speak *ex cathedra* is simply a *private theologian* subject to error. To say nothing of the tremendous arrogance it supposes to affirm that the pope makes mistakes, while they do not.

Besides, they forget that the pope is not only a teacher, and infallible when he says so expressly, but also the chief legislator. In this case Pope Paul VI has laid down in unequivocal terms, that all the dispositions of the much revered Pius XII in this very delicate matter are still binding and must necessarily be followed. Moreover, Pius XII only permitted some natural procedures—not the pill—to avoid conception in isolated and difficult cases. To advise the contrary is, therefore, a serious act of disobedience to the Holy Father in a grave matter.

I could write a huge volume on the disastrous consequences that the use of these and other contraceptives brings with it, namely: the breakdown of married love (the married couple come to see each other as accomplices rather than as husband and wife), unhappiness, infidelity, mental and spiritual distress, great harm to the children, a loss of married peace. . . . However, I don't think it is necessary to go into all this; I prefer simply to obey the pope.

It should be noted that Msgr. Escrivá was saying all this even before (a few months) the publication of the Encyclical *Humanae Vitae*, on July 25, 1968, wherein Pope Paul VI ratified the constant teaching of the Church on this matter: see my book *The Church Speaks on Marriage and Celibacy*, Sinag-tala Publishers Inc., Manila 1976.

The sexual organs are somehow sacred and holy, as sacred and holy as human life, which they are made for transmitting. Therefore, it is wrong to play with them or to abuse them or to hurt them in any way.

4. The *commercial exploitation of sex* (prostitution, pornographic literature and shows, etc.) is gravely immoral and unjust, and a most degrading social evil.

5. *Abortion* (the killing of a human being before he is born), if it is directly procured, does not differ from murder or homicide, even if it is sugarcoated with expressions like "termination of pregnancy" or "removal of fetus," or dramatically sounding sociological or psychological grounds, again whether in the name of liberalism or of socialism.

Biology and genetics have confirmed that a real human being exists in the mother's womb from the first moment of conception. Aristotle was more "logical" when he advocated *infanticide*, i.e. the killing of newly born babies, as a less messy and risky method of population control than abortion, although he did not mind abortion itself, if it could be safely performed: see his *Politics* (VII, 16), written in the 4th century, B.C.

This latter remark highlights the danger that even the most enlightened minds can fall into moral errors when acting on their own lights alone. Not that the unaided human mind cannot attain the basic moral precepts by itself, but in practice it is extremely difficult.

All that was stated above on morals and the family (as well as what is stated in the next chapter) has been consistently upheld by the Catholic Church throughout the centuries (see for example, as a source of information, Pius XI's encyclical *Casti Connubii*, Vatican II Pastoral Constitution *Gaudium et Spes,* nos. 47-52, and Paul VI's encyclical *Humanae Vitae*), but the authority with which the Church has been giving this teaching is not human reason, but divine revelation, which comes not to replace human reason, but to enlighten it and guide it (since faith is more luminous than reason alone), in the same way as divine grace does not replace human nature but heals it, strengthens it, and uplifts it. *Credo ut intelligam,* I believe, that I may understand, said St. Anselm of Canterbury, following St. Augustine. Faith is the salvation of human reason, as grace is the salvation of human nature.

It is the dignity of the human person that is ultimately at stake in the organization of society, and it is doomed to self-destruction if this organization does not take into account:

1. The transcendent or God-oriented dimension of the human person;
2. The spirituality and immortality of the human soul;
3. The need man has of salvation beyond this life (there is no earthly paradise);
4. The authority of the Church in moral matters, i.e. in matters pertaining to the ultimate salvation of the human person.

In the first article of the *Summa Theologiae*, St. Thomas Aquinas states more concisely the doctrine he had already put forward in the first five chapters of Book I of the *Summa Contra Gentiles:*

> It was necessary for man's salvation that there should be a knowledge revealed by God, besides philosophical science built up by human reason. Firstly, indeed, because man is directed to God, as to an end that surpasses the grasp of his reason. . . . But the end must first be known by men who are to direct their thoughts and actions to the end. Hence it was necessary for the salvation of man that certain truths which exceed human reason should be made known to him by divine revelation. Even as regards those truths about God which human reason could have discovered, it was necessary that man should be taught by a divine revelation; because the truth about God such as reason could discover, would only be known by a few, and that after a long time, and with the admixture of many errors. Whereas man's whole salvation, which is in God, depends upon the knowledge of this truth. Therefore, in order that the salvation of men might be brought about more fitly and more surely, it was necessary that they should be taught divine truths by divine revelation. It was therefore necessary that, besides philosophical science built up by reason, there should be a sacred science learned through revelation.

Chapter 9

Properties of the Family

Authority in the Family

In the previous chapter, we have seen that the family is a *natural* society, prior to the state or civil society, with a common good which is the children and domestic living. Now, like every society, as we have seen above in Chapter 1, it needs a government or authority in order to promote and serve its common good. So, who should wield the authority in domestic society?

As St. Thomas Aquinas says[1] (see previous chapter), "Nature intends not only the begetting of offspring, but also its education and development until it reach the perfect state of man as man, and that is the state of virtue." Therefore, children have a right to be trained and guided for independent life: they should be equipped in such a way that they can eventually be self-reliant, with freedom and personal responsibility.

For the attainment of this goal, they need:

1. Affection, i.e. the feeling of being loved, which is primarily, though not exclusively, provided by the gentle and tender hand of the mother, and
2. Firm authority, i.e. the clear and orderly guidance which is primarily, though not exclusively, provided by the strong and forceful arm of the father.

1 *Summa Theologiae*, Suppl., 41, 1.

Without (i) they grow up bashful, inhibited, scrupulous and fearful, and without (ii) they grow up as selfish, ruthless and spoiled individualists.

These two needs of the children point to the respective and complementary roles of mother and father, both of them equally necessary and important: the father should be, so to speak, the head, and the mother the heart of the family.

> (Husband and wife) are bound . . . to have such feelings for one another as to cherish always very great mutual love, to be ever faithful to their marriage vow, and to give one another an unfailing and unselfish help. The husband is the chief of the family and the head of the wife. The woman, because she is flesh of his flesh, and bone of his bone, must be subject to her husband and obey him; not indeed, as a servant, but as a companion, so that her obedience shall be wanting in neither honor nor dignity.[2]

Natural Rights and Duties of Parents

The rights and duties of parents flow also from the nature and purpose of marriage[3]:

1. Right to the sustenance and life of the family;
2. Right to the fulfillment of its own mission:
   a. Right to procreation, which no state policy of population control should interfere with (see previous chapter);
   b. Right to bring up the children, and so it is the parents that should choose the school when the time comes: the role of the school, both private and public, is *subsidiary* to the family[4];
3. Right to an adequate financial support, or a just salary, taking into account the needs of the entire family;
4. Right to protection and help, such as social security.

These rights are to be considered vis-à-vis civil society or the state. In relation to the children, however, the rights of the parents are not absolute rights, since they cannot bid their children anything against the natural law, such as stealing, or marrying against their will, for example.

Furthermore, how long does their natural right and duty to bring up their children last? For as long as the children need it, since the purpose of the upbringing is to enable the children to live an independent life: as long as they are still dependent on their parents they have not been *brought up*.[5]

2 Leo XIII, enc. *Arcanum Divinae Sapientiae* (1880).

3 See my book *Social Morals: The Church Speaks on Society* (Manila: Center for Research and Communication, 1975), Chapter 4.

4 See the principle of subsidiarity in Chapter 3.

5 "A child is by nature part of its father: thus, at first, it is not distinct from its parents as to its body, so long as it is enfolded within its mother's womb; and later on after birth, and before it has the use of its free will, it is enfolded in the care of parents, which is like a spiritual womb, for so long as man has not the use of reason, he differs not from an irrational animal; so that even as an ox or a horse belongs to someone who, according to civil law, can use them when he likes, as his own instrument, so, according to the natural law, a son, before coming to the use of reason, is under his father's care. Hence it would be contrary to natural justice, if a child, before coming to the use of reason, were to be taken away from its parents' custody, or anything done to it against its parents' wish. As soon, however, as it begins to have the use of its free will, it begins to belong to itself, and is able to look after itself, in matters concerning the divine or the natural law." *Summa Theologiae*, II-II, 10, 12.

Parents have to educate their children for freedom and personal responsibility, as said above: these are the objectives of parental education. Therefore, it is wrong for the parents to act as if they *owned* their children: persons cannot be owned under any circumstances, because they are essentially free; they may and should be governed, not owned, and they should be *governed as* free and intelligent beings.[6]

> As for the children, they have the corresponding duty to obey:
> a. for as long as they are under their parents' authority, and
> b. as long as they are not asked to do something against the natural law.

When they come of age, which is called *majority* and is specified by positive law, they are no longer bound to obey, although the obligation of love and respect naturally remains.

6 Msgr. Escrivá de Balaguer is also worth quoting on this point (*Conversations*, no. 100):

> It is perfectly understandable and natural that young and older people should see things differently. This has always been the case. The surprising thing would be if a teenager were to think just as an adult does. We all felt a tendency to rebel against our elders when we began to form our own judgment autonomously. But we have come to understand, with the passing of the years, that our parents were right in many things in which they were guided by their experience and their love. That's why it is up to the parents to make the first move. They have already passed through this stage. It is up to them to be very understanding, to have flexibility and good humor, avoiding any possible conflicts simply by being affectionate and farsighted. I always advise parents to try to be friends with their children. The parental authority which the upbringing of children requires can be perfectly harmonized with friendship, which means putting themselves in some way on the same level as their children. Children—even those who seem intractable and unresponsive—always want this closeness, this fraternity, with their parents. It is a question of trust. Parents should bring up their children in an atmosphere of friendship, never giving the impression that they do not trust them. They should give them freedom and teach them how to use it with personal responsibility. It is better for parents to let themselves be fooled once in a while, because the trust they have shown will make the children themselves feel ashamed of having abused it—they will correct themselves. On the other hand, if they have no freedom, if they see that no one trusts them, they will always be inclined to deceive their parents.
>
> This friendship, this knowing how to put oneself on the children's level, makes it easier for them to talk about their small problems; it also makes it possible for the parents to be the ones to teach them gradually about the origin of life, in accordance with their mentality and capacity to understand, gently anticipating their natural curiosity. I consider this very important. There is no reason why children should associate sex with something sinful or find out about something that is in itself noble and holy in a vulgar conversation with a friend. It can also be an important step in strengthening the friendship between parents and children, preventing a separation in the early moments of their moral life.

Opponents of the Rights of Parents

The rights of parents are denied by:

1. The various form of socialism, such as fascism, Nazism, Communism, and even the tyranny of majorities in so-called democratic socialist countries: according to these totalitarian ideologies, children are the property of the state or of society, which absorbs all individual and family rights (see Chapter 2);
2. The educational liberalism of Rousseau and John Dewey, which reject all authority in the education field, whether religious, parental, or even intellectual;
3. The anarchism of Stirner and Bakunin, who expressed in sociopolitical terms the metaphysical anarchism of Nietzsche, with his Super-Man as the god-in-the-making creating his own values. The anarchists reject all civil authority and advocate "free love" (which is a contradiction in terms, like a square circle, as we have seen in Chapter 5). Consequently, the children, they say, should be brought up by whoever has the propensity to do so (!), which is a deplorable failure to understand human nature.[7]

Freedom is, in any case, the victim: in (1) it is simply suppressed, and in (2) and (3) it is made into a fetish, into an end in itself, hence distorted and, in the end, destroyed when man ends up enslaved by his selfish passions. Either man learns how to subject, discipline and condition himself to the constraints of his creaturehood, thus attaining his freedom and fulfillment, or he destroys his freedom and happiness.

In his encyclical *Casti Connubii* (1930), Pope Pius XI elucidates the right and duty of parents to educate their own children:

> The blessing of offspring, however, is not completed by the mere begetting of them, but something else must be added, namely the proper education of the offspring. For the most wise God would have failed to make sufficient provision for the children that had been born, and so for the whole human race, if he had not given to those to whom he had entrusted the power and right to beget them, the power also and the right to educate them. For no one can fail to see that children are incapable of providing wholly for themselves,

7 In answer to Plato's arguments for a communism of wives, children and property, Aristotle says, among other things:

"Everybody is more inclined to neglect the duty which he expects another to fulfill; as in families many attendants are often less useful than a few. Each citizen will have a thousand sons who will not be the sons of anybody, and will therefore be neglected by all alike." *Politics*, II, 3.

"Of the two qualities which chiefly inspire regard and affection—that a thing is your own and that it is your only one—neither can exist in such a State as this." *Ibid.*, II, 4.

> even in matters pertaining to their natural life, and much less in those pertaining to the supernatural, but require for many years to be helped, instructed and educated by others. Now it is certain that both by the law of nature and of God, this right and duty of educating their offspring belongs, in the first place, to those who began the work of nature giving them birth, and they are indeed forbidden to leave unfinished this work and so expose it to certain ruin. But in matrimony, provision has been made in the best possible way for this education of children that is so necessary, for, since the parents are bound together by an indissoluble bond, the care and mutual help of each is always at hand.

Indissolubility and Unity as Properties of Marriage

From all the foregoing, we have the corollary that two fundamental properties of marriage are indissolubility and unity, both of them inseparably flowing from the nature and purpose of marriage, as was pointed out in the previous chapter.

First, regarding the stability or indissolubility of marriage, St. Thomas Aquinas explains[8] that since sex is naturally ordained to the generation and education of offspring, and this requires a very long time, we must come "to the conclusion not only that the society of man and woman of the human species, which we call matrimony, should be long-lasting, but even that it should endure throughout an entire life."

He further states:

> Indeed, possessions are ordered to the preservation of natural life, and since natural life, which cannot be preserved perpetually in the father, is by sort of succession preserved in the son in its specific likeness, it is naturally fitting for the son to succeed also to the things which belong to the father. So, it is natural that the father's solicitude for his son should endure until the end of the father's life. Therefore, if even in the case of birds the solicitude of the father gives rise to the cohabitation of male and female, the natural order demands that father and mother in the human species remain together until the end of life.
>
> It also seems to be against equity if the aforesaid society be dissolved. For the female needs the male, not merely for the sake of generation, as in the case of other animals, but also for the sake of government, since the male is both more perfect in reasoning and stronger in his powers. In fact, a woman is taken into man's society for the needs of generation; then, with the disappearance of a woman's fecundity and beauty, she is prevented from association with another man. So, if any man took a woman in the time of her

8 *Summa Contra Gentiles*, III, 123.

youth, when beauty and fecundity were hers, and then sent her away after she had reached an advanced age, he would damage that woman contrary to natural equity.

Again, it seems obviously inappropriate for a woman to be able to put away her husband, because a wife is naturally subject to her husband as governor, and it is not within the power of a person subject to another to depart from his rule. So, it would be against the natural order if a wife were able to abandon her husband. Therefore, if a husband were permitted to abandon his wife, the society of husband and wife would not be an association of equals, but, instead, a sort of slavery on the part of the wife.

Besides, there is in men a certain natural solicitude to know their offspring. This is necessary for this reason: the child requires the father's direction for a long time. So, whenever there are obstacles to the ascertaining of offspring they are opposed to the natural instinct of the human species. But, if a husband could put away his wife, or a wife her husband, and have sexual relations with another person, certitude as to offspring would be precluded, for the wife would be united first with one man and later with another. So, it is contrary to the natural instinct of the human species for a wife to be separated from her husband. And thus, the union of male and female in the human species must be not only lasting, but also unbroken.

Furthermore, the greater that friendship is, the more solid and long-lasting will it be. Now, there seems to be the greatest friendship between husband and wife, for they are united not only in the act of fleshy union, which produces a certain gentle association even among beasts, but also in the partnership of the whole range of domestic activity. Consequently, as an indication of this, man must even *leave his father and mother* for the sake of his wife, as is said in Genesis (2:24). Therefore, it is fitting for matrimony to be completely indissoluble.

Moreover, since it is necessary for all other things to be ordered to what is best in man, the union of man and wife is not only ordered in this way because it is important to the generating of offspring, as it is in the case of other animals, but also because it is in agreement with good behavior, which right reason directs either in reference to the individual man in himself, or in regard to man as a member of a family, or of civil society. In fact, the undivided union of husband and wife is pertinent to good behavior. For thus, when they know that they are indivisibly united, the love of one spouse for the other will be more faithful. Also, both will be more solicitous in their care for domestic possessions when they keep in mind that they will remain continually in possession of these same things. As a result of this, the sources of disagreements which would have to come up between a man and his wife's relatives, if he

could put away his wife, are removed, and a more solid affection is established among the relatives. Removed, also, are the occasions for adultery which are presented when a man is permitted to send away his wife, or the converse.

By this conclusion, moreover, we oppose the custom of those who put away their wives, though this was permitted by the Jews in the old law, *by reason of the hardness of their hearts* (Mt 19:8); that is, because they were ready to kill their wives. So, the lesser evil was permitted them in order to prevent a greater evil.

All these natural law reasons (therefore valid for people of *all* times, religions and cultures) given by St. Thomas Aquinas can be summarized thus:

1. Harmful consequences of a *broken home* for the upbringing of the children (see the beginning of this chapter);
2. Equality of the sexes: if divorce is allowed, women are at a disadvantage since it is harder for them to remarry;[9]
3. Security and welfare of the family: if they know that they may get divorced at any time, they will not take care to secure the future by saving, for example;
4. Public order: divorce may easily create family feuds.

Leo XIII, in the encyclical *Arcanum Divinae Sapientiae* (1880), has this to say:

> Truly, it is hardly possible to describe how great are the evils that flow from divorce. Matrimonial contracts are by it made variable; mutual kindness is weakened; deplorable inducements of unfaithfulness are supplied; harm is done to the education and training of the children; occasion is afforded for the breaking up of homes; the seeds of dissension are sown among families; the dignity of womanhood is lessened and brought low, and women run the risk of being deserted after having ministered to the pleasures of men. Since, then, nothing has such power to lay waste families and destroy the mainstay of kingdoms as the corruption of morals, it is easily seen that divorces are in the highest degree hostile to the

9 "This subjection, however, does not deny or take away the liberty which fully belongs to the woman both in view of her dignity as a human person, and in view of her most noble office as wife and mother and companion; nor does it bid her obey her husband's every request if not in harmony with right reason or with the dignity due to a wife; nor, in fine, does it imply that the wife should be put on a level with those persons who in law are called minors, to whom it is not customary to allow free exercise of their rights on account of their lack of mature judgments, or of their ignorance of human affairs. But it forbids that exaggerated liberty which cares not for the good of the family, that the heart be separated from the head to the great detriment of the whole body and the proximate danger of ruin. For if the man is the head, the woman is the heart, and as he occupies the chief place in ruling, so she may and ought to claim for herself the chief place in love." Pius XI, enc. *Casti Connubii* (1930).

> prosperity of families and states, springing as they do from the depraved morals of the people, and, as experience shows us, opening out a way to every kind of evil-doing in public and in private life.

And Pius XI is no less explicit in the encyclical *Casti Connubii* (1930). The whole *liberal* ideology advocated by Freemasonry, with its emphasis on the individual which is characteristic of Protestantism, always supports the alleged "right" to divorce. This is a corruption of values whereby freedom is placed above love. Divorce is a failure of love and the triumph of egoism with its inability to forgive. If this liberal ideology flourishes in some Christian countries, this is because it is a corruption of Christianity. In other societies, the feeling for freedom of the individual is less pronounced, and so, there is more natural togetherness.

Regarding the *unity* of marriage (one man and one woman), as the other fundamental property of marriage, St. Thomas Aquinas says:[10]

> In every species of animal in which the father has some concern for offspring, one male has only one female; this is the case with all birds that feed their young together, for one male would not be able to offer enough assistance to bring up the offspring of several females. But in the case of animals among whom there is no concern on the part of the males for their offspring, the male has promiscuous relations with several females and the female with plural males. This is so among dogs, chickens, and the like. But since, of all animals, the male in the human species has the greatest concern for offspring, it is obviously natural for man that one male should have but one wife, and conversely.
>
> Besides, friendship consists in an equality (see Aristotle, *Nicom. Ethics,* viii, 5). So, if it is not lawful for the wife to have several husbands, since this is contrary to certainty as to offspring, it would not be lawful, on the other hand, for a man to have several wives, for the friendship of wife for husband would not be free, but somewhat servile. And this argument is corroborated by experience, for among husbands having plural wives, the wives have a status like that of servants.
>
> Furthermore, strong friendship is not possible in regard to many people, as is evident from the Philosopher in *Ethics*, viii. Therefore, if a wife has but one husband, but the husband has several wives, the friendship will not be equal on both sides. So, the friendship will not be free, but servile in some way.
>
> Moreover, as we said (ch. 123), matrimony among humans should be ordered so as to be in keeping with good moral customs. Now, it is contrary to good behavior for one man to have several wives, for the result of this is discord in domestic society, as is evident from experience. So it is not fitting for one man to have several wives.

10 *Summa Contra Gentiles*, III, 124.

All these reasons are, again, based on the natural law alone, and therefore valid and applicable in all societies and at all times. In some cases polygamy is socially and culturally, and even legally accepted on religious grounds, as for example in Moslem societies (in Islam there is no clear sense of the fundamental equality of the sexes). In other societies, polygamy, though not recognized by law, is tolerated but disapproved by society in the form of concubinage: always degrading for the woman who has to share a man with other women.[11]

Marriage and Celibacy in the Context of the Common Good

Assuming then that marriage is a *natural* institution, as explained above, does it follow that every person is bound to marry? By no means: in the first place, for some individuals it would obviously be wrong to marry (cases of insanity, infectious disease, impotence, etc.).

But in fact, *celibacy for the sake of the common good* is a higher calling than marriage, since the common good is the good of human society as a whole, and so, it is better to serve the common good directly than through the service of one's family. But of course what makes celibacy higher is only this motivation for the common good, i.e. "for the sake of the kingdom of

11 As for the teaching of the Catholic Church, here is for example what Pius XI states in *Casti Connubii* (1930):

> The second blessing of matrimony which We said was mentioned by St. Augustine is the blessing of conjugal faith which consists in the mutual fidelity of the spouses in fulfilling the marriage contract, so that what belongs to one of the parties by reason of this contract sanctioned by divine law may not be denied to him or permitted to any third person; nor may there be conceded to one of the parties anything which, being contrary to the rights and laws of God and entirely opposed to matrimonial faith, may never be conceded.
>
> Wherefore, conjugal faith demands in the first place the complete unity of matrimony which the Creator himself laid down in the marriage of our first parents when he wished it to be not otherwise than between one man and one woman. And, although afterwards this primeval law was relaxed to some extent by God, the Supreme Legislator, there is no doubt that the law of the Gospel fully restored that original and perfect unity, and abrogated all dispensations, as the words of Christ and the constant teaching and action of the Church show plainly. With reason, therefore, does the sacred Council of Trent solemnly declare: "Christ our Lord very clearly taught that in this bond two persons only are to be united and joined together when he said: therefore they are no longer two, but one flesh."
>
> Nor did Christ our Lord wish only to condemn any form of polygamy or polyandry, as they are called, whether successive or simultaneous, and every other external dishonorable act, but, in order that the sacred bonds of marriage be guarded absolutely inviolate, he forbid also even voluntary thoughts and desires of such-like things: "But I say to you, that whosoever shall look on a woman to lust after her hath already committed adultery with her in his heart" (Mt 5:28). Which words of Christ our Lord cannot be annulled even by the consent of one of the partners of marriage for they express a law of God and nature which no will of man can break or bend.

heaven,"[12] since, as we discussed in Chapter 1, God is the "Alpha and Omega"[13] or, in other words, the Creator and Last End or supreme and common good of the entire universe.

In the *Summa Contra Gentiles*,[14] St. Thomas Aquinas, after expounding the usual objections against perpetual continence, states the following:

> We should keep in mind that one type of rational explanation is to be used for things which belong to the needs of the individual man, while a different one applies to the things that pertain to the needs of the group. In regard to things pertinent to the needs of the individual man, it is necessary to make provision for each person. Now, of this type are food and drink, and other goods having to do with the maintenance of the individual. Hence, each man must make use of food and drink. But, in the case of things that are necessary for the group, it is not necessary for the assignment to be given to each person in the group; this is not even possible. For it is clear that many things are needed by a group of men, such as food, drink, clothing, housing and the like, which cannot all be procured by one man. And so, different tasks must be given to different persons, just as different organs of the body are directed to different functions. So, since procreation is not a matter of the need of the individual but of the need of the whole species, it is not necessary for all men to devote themselves to acts of generation; instead, certain men, refraining from these acts, undertake other functions, such as the military life or contemplation.

And in the *Summa Theologiae*,[15] again answering objections to virginity, he has this to say (basing himself both on divine revelation and on right reason and hence, natural law):

> In human acts, those are sinful which are against right reason. Now right reason requires that things directed to an end should be used in measure proportionate to that end. Again, man's good is threefold as stated in *Ethic.* i., 8: one consisting in external things, for instance riches; another, consisting in bodily goods; the third, consisting in the goods of the soul among which the goods of the contemplative life take precedence of the goods of the active life, as the Philosopher shows (*Ethic*, x, 7), and as our Lord declared (Lk 10:42), *Mary hath chosen the better part.* Of these goods, those that are external are directed to those which belong to the body, and those which belong to the body are directed to those which belong to the soul; and furthermore, those which belong to the active life are directed to those which belong to the life of contemplation. Accordingly, right reason dictates that one use external goods in a measure proportionate to the body, and in like manner as regards the rest. Wherefore if a man refrain from possessing certain things (which otherwise it were good for him to possess), for the sake of his body's good, or for the contemplation of truth, this is not sinful, but in accord with right reason. In like manner if a man abstain from bodily pleasures, in order more freely to give himself to the contemplation of truth, this is in accordance with the rectitude of reason.

12 Mt 19:12.
13 Apoc 1:8, 21:6 and 22:13.
14 III, 136.
15 II-II, 152, 2.

And later,[16] in answering the question whether virginity is more excellent than marriage, he says:

> According to Jerome (*Contra Jovin*, i) the error of Jovinian consisted in holding virginity not to be preferable to marriage. This error is refuted above all by the example of Christ who both chose a virgin for his mother, and remained himself a virgin, and by the teaching of the Apostle who (1 Cor 7) counsels virginity as the greater good. It is also refuted by reason, both because a divine good takes precedence of a human good, and because the good of the soul is preferable to the good of the body, and again because the good of the contemplative life is better than that of active life. Now virginity is directed to the good of the soul in respect of the contemplative life, which consists in thinking *on the things of God*, whereas marriage is directed to the good of the body, namely the bodily increase of the human race, and belongs to the active life, since the man and woman who embrace the married life have to think *on the things of the world*, as the Apostle says (1 Cor 7:34). Without doubt therefore virginity is preferable to conjugal continence.[17]

This does not mean, of course, that every individual celibate is by definition, so to speak, necessarily holier than a married person (holiness depends on the response of each person to the grace of one's vocation), but that, as the Church has always maintained, the *state* of celibacy "for the kingdom of heaven" is as such higher than the *state* of marriage.[18]

16 II-II, 152, 4.
17 For more teachings of the Catholic Church see Pius XII, enc. *Sacra Virginitas* (1954) and Paul VI, enc. *Sacerdotalis Caelibatus* (1967).
18 See for example II Vatican Council decree *Optatam Totius* (1965), no. 10:

> Students who follow the venerable traditions of celibacy according to the holy and fixed laws of their own rite are to be educated to this state with great care. For renouncing thereby the companionship of marriage for the sake of the kingdom of heaven (cf. Mt 19:12), they embrace the Lord with an undivided love altogether befitting the new covenant, bear witness to the resurrection of the world to come (cf. Lk 20:36), and obtain a most suitable aid for the continual exercise of that perfect charity whereby they can become

Regarding this point, here is another illuminating comment from the above cited book *Conversations with Msgr Escrivá de Balaguer*, no. 92:

> There is nothing contradictory about being fully aware of the value of the vocation to marriage and understanding the greater excellence of the vocation to celibacy *propter regnum caelorum* (Mt 19:12) "for love of the kingdom of heaven." I am convinced that any Christian who tries to know, accept and love the teaching of the Church, will understand perfectly how the two are compatible if he tries also to know, accept and love his own personal vocation.
>
> When I wrote that marriage is for the "soldiers," I only described what has happened always in the Church. As you know, the bishops—who form the Episcopal College, which has the Pope as its head, and who govern with him the entire Church, are elected from among those who live celibacy. The same is true in the Eastern Church, in which there are married priests. Furthermore, it can be easily understood and shown that those who are celibate are *de facto* freer of ties of affection and have greater freedom of movement to dedicate themselves permanently to running and supporting apostolic undertakings; this is also true in the lay apostolate. This does not mean to say that the rest of the laity cannot, or do not in fact, carry out a splendid apostolate and one of prime importance. It only means that there are different duties, different forms of dedication in positions of diverse responsibility.
>
> In an army—and this is all the comparison was meant to express—the soldiers are as necessary as the general staff and can be more heroic and merit more glory. In a word, there is a variety of tasks and all are necessary and worthy. What is really important is that each person should follow his own vocation. For each individual, the most perfect thing is, always and only, to do God's will.

all things to all men in their priestly ministry. Let them deeply realize how gratefully that state ought to be received, not, indeed, only as commanded by ecclesiastical law, but as a precious gift of God for which they should humbly pray. Through the inspiration and help of the grace of the Holy Spirit, let them freely and generously hasten to respond to this gift.

Students ought rightly to acknowledge the duties and dignity of Christian matrimony, which is a sign of the love between Christ and the Church. Let them recognize, however, *the surpassing excellence* of virginity consecrated to Christ, so that with a maturely deliberate and generous choice they may consecrate themselves to the Lord by a complete gift of body and soul. (*Italics added*).

Chapter 10

Civil or Political Society

Individual and Family as Prior to Civil Society

As we have seen, there is a mutual relationship of (i) man to family, and (ii) family to society. The last end of man, as we have seen in Chapter 1, is happiness, which consists in the possession and enjoyment of God; but family life helps him in the attainment of this end, and civil society helps the family likewise.

Man is social by nature, since he cannot attain his end except by association with others. That is why he tends to form first a domestic society (family), although he may bypass this stage and associate himself directly with God and society at large by devoting himself to promoting the common good in celibacy, as we saw in the last chapter.

The family, however, is still an "imperfect" society: it depends on civil society at large, owing to the process of diversification of functions and division of labor stemming from the human limitations proper to a creature who is only a participant in being, not the fullness of it, or as Pius XI explains it:[1]

1 Enc. *Divini Ilius Magistri* (1929).

> Education is essentially a social and not mere individual activity. Now there are three necessary societies distinct from one another and yet harmoniously combined by God, into which man is born: two, namely the family and civil society, belong to the natural order; the third, the Church, to the supernatural order.
>
> In the first place comes the family, instituted directly by God for its peculiar purpose, the generation and formation of offspring; for this reason it has priority of nature and therefore of rights over civil society. Nevertheless, the family is an imperfect society, since it has not in itself all the means for its own complete development; whereas civil society is a perfect society, having in itself all the means for its peculiar end, which is the temporal well-being of the community; and so, in this respect, that is, in view of the common good, it has preeminence over the family, which finds its own suitable temporal perfection precisely in civil society.

We therefore have to study the nature of civil society, not because civil society is superior to either family or individual (a socialist assumption), but because it is the setting for individual and family to attain their end, as Leo XIII puts it in the encyclical *Immortale Dei* (1885):

> Man's natural instinct moves him to live in civil society, for he cannot, if dwelling apart, provide himself with the necessary requirements of life, nor procure the means of developing his mental and moral faculties. Hence, it is divinely ordained that he should lead his life—be it family, or civil—with his fellow men, among whom alone his several wants can adequately be supplied.

And in the encyclical *Sapientiae Christianae* (1890):

> To contemplate God, and to tend to him, is the supreme law of the life of man. For we were created in the divine image and likeness, and are impelled by our very nature to the enjoyment of our Creator.
>
> But what applies to individual men applies to society—domestic alike and civil. Nature did not form society in order that man should seek in it his last end, but in order that in it and through it he should find suitable aids whereby to attain to his own perfection.[2]

2 "It should be borne in mind that, since man is by nature a social animal inasmuch as he needs many things for his life which he cannot procure by himself alone, he is therefore by nature a part of society whereby he is helped to live well. He needs this help for two things. First, for things which are necessary for life, i.e. without which this present life cannot be lived: in this, man is helped by domestic society, of which he is part; for any man has from his parents generation, nourishment and education. And likewise all members who are parts of the domestic family help one another in regard to the necessities of life. But man is helped in another way by a society of which he is a part for a perfect sufficiency of life, i.e. for man not only to live, but to live well, having all that is sufficient for life: this is the way man is helped by civil society, of which he is a part for a perfect sufficiency of life, i.e. for man not only to live, but to live well, having all that is sufficient for life: this is a way man is helped by civil society, of which he is a part, not only as regards material things, inasmuch as the city posseses many man-made devices which just one house could not contain, but also as regards morality, inasmuch as public authority constraints the insolence of youth through the fear of penalty when paternal admonition is unable to correct them." St Thomas Aquinas, *In Eth. I, lect.* 1, no. 4.

How Does Civil Society Come About?

All that was stated in Chapters 1, 2, 3 and 4 should be recalled here, **especially** concerning the causes of society and the decisive metaphysical primacy **of the** common good in this respect.

Society is the totality of order which results from the union of men in the pursuit of a common good, which is the *final cause* or supreme goal of society. Love for the common good is the cause that keeps society together, and so it is its *formal cause* or what makes society to be such. But since the only common good in the strict sense is God, it is the love of God that keeps society together, and if the last end of society is placed in some other good lower than God, society tends to disintegrate: estrangement from God estranges men from one another. This is why St. Thomas Aquinas explains[3] that the divine laws should bid man first to love God above all things, and thereby to love his neighbor as himself. This is the basis of the entire social order.

Thus, John XXIII in *Mater et Magistra* (1961) said:

> The most fundamental modern error is that of considering the religious demands of the human soul as an expression of feeling or of fantasy, or a product of some contingent event, which should be thus eliminated as an anachronism and as an obstacle to human progress; whereas by this exigency human beings reveal themselves for what they really are: beings created by God, and for God, as St. Augustine cries out: *You made us for thee O Lord, And our heart is restless until it rest in thee* (*Confessions,* i.i). Moreover, whatever the technical and economic progress, there will be neither justice nor peace in this world until men return to a sense of the dignity of creatures and sons of God, the just and final reason of the being of all reality created by Him. Man separated from God becomes inhuman to himself and to those of his kind, because the orderly relation of society presupposes the orderly relation of one's conscience with God, font of truth, of justice and of love.

From this ordination of all the transcendent common good, it follows that in society, there must be an internal order of the parts in relation to the

3 Cf. *Summa Contra Gentiles*, III, 116 and 117, and *Summa Theologiae*, I-II, 100, 6.

whole. These parts are the *material cause* of society, and we have seen how both liberalism and socialism overlook the importance of the family when considering this cause. For liberalism, the material constituents of society are the individuals as wholes, while for socialism, these constituents are the individuals as parts. But in fact the individuals are neither wholes in themselves as isolated atoms, since they are social by nature, nor directly parts of society, so that society can dispose of them as it pleases, since, apart from their own autonomy and direct ordination to God, they are only the remote material of society, while the immediate material is the families, organically integrated in the pursuit of the common good. As Pius XI said,

> Both man and civil society derive their origin from the Creator, who has mutually ordained them one to the other. Hence, neither can be exempted from their correlative obligations, nor deny or diminish each other's rights.[4]

Civil authority, as promoter of the common good, should therefore act according to the principle of subsidiarity with regard to the families, and parental authority should act likewise with regard to the children.

This internal order of society or intrinsic common good (the extrinsic common good is God) is the moral virtue of the persons, which all of them should possess and communicate. This spiritual common good is the principal part of the temporal common good (*temporal* is not opposed to *spiritual*, but to eternal: the spiritual being of man is the link between the temporal and the eternal). Other derived common goods, such as work, culture, science, art and suchlike are ordained to that spiritual common good which is the participation by man in the divine goodness. As for material well-being, it is also part of that participated common good, since its purpose or end is bodily good, which is in its turn ordained to the good of the soul. It is attained when all participate of this good in an orderly way, and this requires not only the practice of distributive justice, but of all the virtues that regulate the orderly use of bodily goods relating them to God and to the intrinsic common good of society. Thus, for example, one should eat in order to live, not the other way around.

The Efficient Cause of Society

Having once again examined the final, formal and material causes of society, we can now inquire about the *efficient cause* or that which actually brings about a given civil society. How is the family ordained to civil society? By natural law alone? By positive law alone?

According to Hobbes (1588-1679), the "natural" state of man is that of a wild beast (*homo homini lupus*, man is a wolf to man): left to themselves, men tend to tear one another to pieces (*bellum omnium contra omnes*, the war of all

4 Pius XI, enc. *Divini Redemptoris* (1937).

against all). In order to survive, therefore, they form a civil society by an explicit "social compact," in which all their power is irrevocably vested in the civil authority, whose power is therefore absolute.

According to Rousseau (1712-1778), the "natural" state of man is that of innocence and goodness: it is society that tends to corrupt him by creating inequalities that lead men to envy, cruelty and despotism; and so, the present unjust society must be overthrown (violently if necessary) and, by an explicit "social contract," rebuilt on a new basis of strict equality.

The above two are the main "social contract" theories, based on the false premise that man is totally bad (Hobbes) or totally good (Rousseau) by nature; two errors due not only to ignoring the biblical teaching on original sin, according to which man was indeed corrupted but not totally and irretrievably, as the Council of Trent (1545-1563) explained against the Protestant doctrine on the total corruption of human nature,[5] but also to ignoring the metaphysical truth of man's participation in being, as explained above in Chapter 1, which shows the inherent perfectibility of man.

Subsequent legal positivists[6] have maintained that society is the product of positive law alone, rejecting natural law, and thus providing an ideal philosophy for state despotism. This was the case of Nazi Germany, where obedience to the state (as if the state were God) furnished an alibi for the most appalling crimes against the natural law.[7] And this is also the case wherever the totalitarian ideology of Marxist Communism is in power.[8]

In reply to these errors, we must maintain that man has an inborn or *natural* inclination to society, both domestic and civil. Society is, therefore, a natural and truly spontaneous development, and does not need an explicit social compact, whether to enslave men (Hobbes) or to justify revolution (Rousseau).

As Leo XIII says in his encyclical *Diuturnum Illud* (1881):

> Those who believe civil society to have risen from the free consent of men, looking for the origin of its authority from the same source, say that each individual has given up something of his right, and that voluntarily every person has put himself into the power of the one man in whose person the whole of those rights has been centered.[9] But it is a great error not to see, what is manifest, that men, as they are not a nomad race, have been created, without their own free will, for a natural community of life. It is plain, moreover, that the pact which they allege is openly a falsehood and a fiction,

5 Decree on Original Sin (Session V) and Decree on Justification (Session VI).
6 See Chapter 5: Morality and Legality.
7 See Pius XI, enc. *Mit brennender Sorge* (1937).
8 See Pius XI, enc. *Divini Redemptoris* (1937).
9 Here, Leo XIII is talking about personal tyranny, but his doctrine applies equally well to the modern corporate or party tyrannies, since they have always been catalyzed by one man with the qualities of leadership, such as Lenin or Hitler for example, despite their avowed collectivism.

> and that it has no authority to confer on political power such great force, dignity, and firmness as the safety of the state and the common good of the citizens require. Then only will the government have all those ornaments and guarantees, when it is understood to emanate from God as its august and most sacred source.

And if society is *natural*, social or political morality, as reflected in positive laws (legality), must be based on, and cannot be detached from absolute morality, which is above the state or any human authority, and whose author is God: positive law can only be law if it is based on natural law; only then is it binding in conscience.

> The highest duty is to respect authority, and obediently to submit to just law; and by this the members of a community are effectually protected from the wrongdoing of evil men. Lawful power is from God, *and whosoever resisteth authority resisteth the ordinance of God* (Rom 13:2); wherefore, obedience is greatly ennobled when subjected to an authority which is the most just and supreme of all.

Thus says Leo XIII in his encyclical *Libertas Praestantissimum* (1888), but then the pontiff balances his statement by recalling that this authority derives from God *through the moral order*, to which rulers must also submit:

> But where the power to command is wanting, or where a law is enacted contrary to reason, or to the eternal law, or to some ordinance of God, obedience is unlawful, lest, while obeying man, we become disobedient to God. Thus, an effectual barrier being opposed to tyranny, the authority in the state will not have all its own way, but the interests and rights of all will be safeguarded—the rights of individuals, of domestic society, and of all the members of the commonwealth; all being free to live according to law and right reason; and in this, as We have shown, true liberty really consists.

What brings about society is, therefore, the union of many families to attain a common good, reached naturally and spontaneously, whether by implicit or by explicit agreement.

St. Thomas Aquinas places the power to legislate in the people or in their representatives, as we saw in the passage quoted above at the beginning of Chapter 6, or as he also states:[10]

> Thus people among whom a custom is introduced may be of two conditions. For if they are free, and able to make their own laws, the consent of the whole people expressed by a custom counts far more

10 *Summa Theologiae*, I-II, 97, 3 ad 3.

> in favor of a particular observance, than does the authority of the sovereign, who has not the power to frame laws, except as representing the people. Wherefore although each individual cannot make laws, yet the whole people can. If, however, the people have not the free power to make their own laws, or to abolish a law made by a higher authority; nevertheless with such a people a prevailing custom obtains force of law, in so far as it is tolerated by those to whom it belongs to make laws for that people: because by the very fact that they tolerate it they seem to approve of that which is introduced by custom.

Of course there are societies, more or less organized, more or less developed, although it should be borne in mind that material development is, as we have seen, naturally ordained to spiritual development in the broadest sense of the term. Societies are, at any rate, a human product, and as such they are bound to be (i) always imperfect (paradise on Earth is a myth, as it completely lacks any grounds of credibility), and (ii) always capable of further improvement. Therefore, gradual evolution (not by necessary, inexorable laws, in a Marxian sense, but by the free initiative and enterprise of actual individual men) is the natural law of development of society, and not violent revolution (see Chapter 12 below).

In the light of the above, we must now approach the question on the origin and nature of political authority, without which the common good of society is unattainable, as we saw in Chapter 1.

Chapter 11

Origin and Nature of Political Authority

God as Source or Origin of All Authority

At the end of Chapter 10, the need for an authority in society was shown. But how does this authority actually arise? What is the source of political power? What is its justification? How should it be exercised?

Says St. Thomas Aquinas,[1]

> A particular good is ordered to the common good as an end; indeed, the being of a part depends on the being of the whole. So also, the good of a nation is more godlike than the good of one man. Now, the highest good which is God is the common good, since the good of all things taken together depends on Him; and the good whereby each thing is good is its own particular good, and also is the good of the other things that depend on this thing. Therefore, all things are ordered to one good as their end, and that is God.

This conclusion was also reached in Chapter 1 above, and, as a corollary, we can say that, since God is the ultimate cause of society, both final and efficient, He must be the ultimate source of political authority. The New Testament confirms this truth of the natural law in Jesus' answer to Pilate:

1 *Summa Contra Gentiles*, III, 17.

"Thou wouldst have no power at all over me were it not given thee from above."[2]

Or as St. Paul writes to the Romans (so close to the Roman Emperor): "Let everyone be subject to the higher authorities, for there exists no authority except from God, and those who exist have been appointed by God."[3]

But it is fitting to divine wisdom, goodness and power to share out His supreme authority in a hierarchy of subordinations, just as He shares out His being.

In his *Summa Theologiae*, St. Thomas Aquinas first establishes how God is the supreme ruler of the universe:

> Certain ancient philosophers denied the government of the world, saying that all things happened by chance. But such an opinion can be refuted as impossible in two ways. First, by observation of things themselves: for we observe that in nature things happen always or nearly always for the best; which would not be the case unless some sort of providence directed nature towards good as an end; which is to govern. Wherefore the unfailing order we observe in things is a sign of their being governed . . . Secondly, this is clear from a consideration of divine goodness, which, as we have said above (Q. 44, A.4; Q. 65, A.2), was the cause of the production of things in existence. For as it *belongs to the best to produce the best*, it is not fitting that the supreme goodness of God should produce things without giving them their perfection. Now a thing's ultimate perfection consists in the attainment of its end. Therefore it belongs to the divine goodness, as it brought things into existence, so to lead them to their end: and this is to govern.[4]

And then he goes on to show how fitting it is for God to share out this government, and in what sense this is done:

> In government there are two things to be considered; the design of government, which is providence itself; and the execution of the design. As to the design of government, God governs all things immediately; whereas in its execution, he governs some things by means of others.
>
> The reason of this is that as God is the very essence of goodness, so everything must be attributed to God in its highest degree of goodness. Now the highest degree of goodness in any practical order, design or knowledge (and such is the design of government) consists in knowing the individuals acted upon; as the best physician is not the one who can only give his attention to general principles, but who can consider the least details; and so on in other things. Therefore we must say that God has the design of the government of all things, even of the very least.
>
> But since things which are governed should be brought to perfection by government, this government will be so much the better in the degree the things governed are brought to perfection. Now it is a greater perfection for a thing to be good in itself and also the cause of goodness in others, than only to be good in itself. Therefore God so governs things that he makes some of them to be causes of others in government; as a master, who not only imparts knowledge to his pupils, but gives also the faculty of teaching others.[5]

This is how Leo XIII explains this point:[6]

> A society can neither exist nor be conceived in which there is no one to govern the will of individuals, in such way as to make, as it were, one will out of many, and to impel them rightly and orderly to the common good; therefore, God has willed that in a civil society there should be some to rule the multitude. And this is also a powerful argument, that those by whose authority the State is administered must be able so to compel the citizens to the obedience that it is clearly a sin in the latter not to obey. *But no man has in himself or of himself the power of constraining the free will of others by fetters of authority of this kind.* This power resides solely in God, the Creator and Legislator of all things; and it is necessary that those who exercise it should do it as having received it from God. (Italics added).

And this applies to all kinds of authority:

> And this is clearly seen in every kind of power. That that which resides in priests comes from God is so acknowledged that among all nations they are recognized as, and called, the ministers of God. In like manner, the authority of fathers of families preserves a certain impressed image and form of the authority which is in God, *of whom all paternity in heaven and earth is named* (Eph 3:15). But in this way different kinds of authority have between them wonderful resemblances, since, whatever there is of government and authority, its origin is derived from one and the same Creator and Lord of the world, who is God.

2 Jn 19:11.
3 Rom 13:1.
4 *Summa Theologiae*, I, 103, 1.
5 *Ibid.*, I, 103, 6. cf. also *Summa Contra Gentiles*, III, 77.
6 Enc. *Diuturnum Illud* (1881).

And the same pontiff, in the encyclical *Immortale Dei* (1885):

> No society can hold together unless someone be over all, directing all to strive earnestly for the common good, every body politic must have a ruling authority, and this authority, no less than society itself, has its source in nature, and has consequently, God for its author. Hence, it follows that all public power must proceed from God. For God alone is the true and supreme Lord of the world. Everything, without exception, must be subject to him, and must serve him, so that whosoever holds the right to govern holds it from one sole and single source, namely, God, the sovereign ruler of all. *There is no power but from God* (Rom 13:1).

Or as John XXIII puts it in his encyclical *Pacem in Terris* (1963):

> Those therefore who have authority in the state may oblige men in conscience only if their authority is intrinsically related with the authority of God and shares in it.
>
> By this principle the dignity of the citizens is protected. When, in fact, men obey their rulers, it is not at all as men that they obey them, but through their obedience it is God, the provident Creator of all things, whom they reverence, since he has decreed that men's dealings with one another should be regulated by an order which he himself has established. Moreover, in showing this due reverence to God, men not only do not debase themselves but rather perfect and ennoble themselves. For to *serve God is to rule.*

There follows from this with strict logic that political authority cannot prescribe anything contrary to the natural law, as against the well-known Machiavellian maxim that anything is lawful to the ruler as long as it helps the public good. If the state does that, it thereby forfeits its God-given power, and consequently the citizen is not bound to obey. This is what Pope Pius XI, for example, declared in his encyclical against Fascism:[7] the imposition of an oath of allegiance to the state was illicit, and no one was bound by it, even if forced to take it. The same pontiff later denounced the Machiavellianism of both Nazism and Communism in the encyclicals *Mit brennender Sorge* and *Divini Redemptoris* respectively, both of them issued in March 1937.

And John XXIII in *Pacem in Terris* (1963), after the passage just quoted:

> Since the right to command is required by the moral order and has its source in God, it follows that, if civil authorities legislate for or allow anything that is contrary to the will of God, neither the laws made nor the authorizations granted can be binding on the consciences of the citizens, since *we must obey God rather than men*

7 Enc. *Non Abbiamo Bisogno* (1931).

> (Acts 5:29). Otherwise, authority breaks down completely and results in shameful abuse. As St. Thomas Aquinas teaches: *Human law has the true nature of law only insofar as it corresponds to right reason, and therefore, is derived from the eternal law. Insofar as it falls short of right reason, a law is said to be a wicked law; and so, lacking the true nature of law, it is rather a kind of violence* (S. Th. I-II, 93, 3 ad 2). (More about this in the next chapter).

Transference of God's Power to the State

Granting then that God is the ultimate cause of society, and so the ultimate source of political authority, how does it work in practice? How is God's power transferred to the state? First of all, let us take another look at the relationship between God, the people or society, and the state or political authority.

Says Pius XII,[8]

> Civil sovereignty has been established by the Creator (as Our great predecessor Leo XIII wisely teaches in the encyclical *Immortale Dei*) that it may regulate social life according to the prescriptions of an order not subject to change in its universal principles; that it may facilitate to the human person, in the temporal order, the achievement of physical, intellectual and moral perfection, and may help him to achieve his supernatural end.
>
> It is therefore the noble prerogative and function of the state to control, aid and direct the private and individual activities of national life that they converge harmoniously towards the common good. That good can neither be defined according to arbitrary ideas, nor can it accept for its standard, primarily material prosperity of society, but rather it should be defined according to the harmonious development and the natural perfection of man. It is for this perfection that society is designed by the Creator as a means.
>
> To consider the state as something ultimate to which everything else should be subordinated and directed, cannot fail to harm the true and lasting prosperity of nations. This can happen either when unrestricted dominion comes to be conferred on the state as having a mandate from the nation, people, or even a social class, or when the state arrogates such dominion to itself as absolute master, despotically, without any mandate whatsoever.

The doctrine put forward by Catholic theologians of the 16th and 17th centuries (Suarez, Vitoria, Bellarmine, etc.) as a refutation of the claims of the Stuart monarch James I of England to the absolute power of the king, backed up by the philosopher Hobbes (see previous chapter), was as follows:

8 Enc. *Summi Pontificatus* (1939).

God, as Creator of man and thereby of society, impresses on man the natural moral law as a participation of the eternal law, and transfers to society the power to govern itself by that moral law. The people is then the depositary of political authority, but, due to the division of labor, it has to invest this power on the rulers, who, by God's power, under the natural law, and on behalf of the people, explicitate the natural law into positive law: a juridical order and a system of government thereby dependent on the natural law, although it may take many different forms.

This puts the common good above the individual good, but at the same time recognizes the transcendent dimension of the individual, whose conscience is subject only to God. As we saw in the previous chapter, while the ultimate efficient cause of society is God, the proximate cause of a given society is a pact, at least implicit, but out of an inclination or ordination of natural law, which needs to be explicitly stated in individual cases.

This does not mean, therefore, that political authority comes from the people: according to Rousseau, the social contract is not a *natural* but a *voluntary* agreement wherein the individual submits his rights to society, so that society is the sum total of the rights of the individual; this is liberalism (the individual above society). Socialism, as a reaction, puts society above the individual. But in either case, the people is not just the depositary but the holder of political power in its own right.

Here is Leo XIII's lucid exposition of Catholic doctrine:[9]

> Very many men of more recent times . . . say that all power comes from the people; so that those who exercise it in the State do so not as their own, but as delegated to them by the people, and that, by this rule, it can be revoked by the will of the very people by whom it was delegated. But from these, Catholics dissent, who affirm that the right to rule is from God, as from a natural and necessary principle.
>
> It is of importance, however, to remark in this place that those who may be placed over the state may in certain cases be chosen by the will and decision of the multitude, without opposition to or impugning of the Catholic doctrine. And by this choice, in truth, the ruler is designated, but the rights of ruling are not thereby conferred. Nor is the authority delegated to him, but the person by whom it is to be exercised is determined upon.
>
> There is no question here respecting forms of government, for there is no reason why the Church should not approve of the chief power being held by one man or by more, provided only it be just, and that it tend to the common advantage. Wherefore, so long as justice be respected, the people are not hindered from choosing for themselves that form of government which suits best either

9 Enc. *Diuturnum Illud* (1881).

> their own disposition, or the institutions and customs of their ancestors.

And John XXIII:[10]

> It must not be concluded, however, because authority comes from God, that therefore men have no right to choose those who are to rule the state, to decide the form of government, and to determine both the way in which authority is to be exercised and its limits. It is thus clear that the doctrine which We have set forth is fully consonant with any truly democratic regime.

And the Second Vatican Council[11] explains this point basing itself on the teaching of Pius XII and John XXIII:

> It is in full accord with human nature that juridical-political structures should, with ever better success and without any discrimination, afford all their citizens the chance to participate freely and actively in establishing the constitutional bases of a political community, governing the state, determining the scope and purpose of various institutions, and choosing leaders. Hence, let all citizens be mindful of their simultaneous right and duty to vote freely in the interest of advancing the common good. The Church regards as worthy of praise and consideration the work of those who, as a service to others, dedicate themselves to the welfare of the state and undertake the burden of this task.
>
> If conscientious cooperation between citizens is to achieve its happy effect in the normal course of public affairs, a positive system of law is required. In it should be established a division of governmental roles and institutions and, at the same time, an effective and independent system for the protection of rights. Let the rights of all persons, families, and associations, along with the exercise of those rights, be recognized, honored and fostered. The same holds for duties which bind all citizens. Among the latter should be remembered that of furnishing the commonwealth with the material and spiritual services required for the common good.
>
> Authorities must beware of hindering family, social, or cultural groups, as well as intermediate bodies and institutions. They must not deprive them of their own lawful and effective activity, but should rather strive to promote them willingly and in an orderly fashion. For their part, citizens both as individuals and in association, should be on guard against granting government too much authority and inappropriately seeking from it excessive conveniences and advantages, with a consequent weakening of the

10 Enc. *Pacem in Terris* (1963).

11 In the pastoral constitution *Gaudium et Spes* (1965), no. 75.

sense of responsibility on the part of the individuals, families and social groups.

God therefore transfers the power to govern (political authority) to the state, for it to promote the *temporal* or intrinsic common good of society (which includes helping society, i.e. all the individuals in it, to achieve its *eternal* or extrinsic common good or supernatural end, which the state does mainly by allowing the Church freedom of action in supplying the means to achieve that supernatural end: the respective ends of the state and of the Church are therefore distinct but in continuity, hence the ambiguity of the expression "separation of the Church and the state").[12] But He does this somehow through the people, for whose benefit and service political authority is given by Him. Since by nature all men are equal, "No man has in himself or of himself the power of constraining the free will of others by fetters of authority of this kind."[13] More about this is in the next chapter (see also chapter 6 above).

12 Leo XIII explained very well the distinction, but not separation, of two spheres, as different from the "liberal" formula advocated by the freemasons, whose real meaning was the total ousting of religion from public life. Thus in his encyclical *Cum Multa* (1882):

> The mistaken opinion should also be avoided of those who intermingle, and even identify religion with some political party, so that they consider those who belong to another party as practically separated from Catholicism. This means really, clumsily pushing the political parties into the lofty field of religion, and so an attempt to break up fraternal concord and open the door to a deadly multitude of woes.
>
> Therefore, just as the religious and civil spheres are differentiated by their kind and nature, so also is it just that they should be distinguished in our judgment and appraisal. Because civil matters, however noble and important, considered in themselves do not outstrip the limits of our life on earth. While, on the other hand, the religion which was born of God and refers everything to God, rises higher and reaches up to heaven. For the purpose and aim of religion is to thoroughly mold the soul, which is the more precious part of man, in the knowledge and love of God, and to lead mankind safely to the future city towards which we are walking. Therefore it is right to regard religion and everything specially related to it as belonging to a higher order. Whence, it follows that as it is the greatest good, it should be kept safe amidst the changes of human affairs and the very upheavals of nations, for it encompasses all times and places. And those who militate in opposite camps, however much they may disagree on everything else, should agree on this, that it is necessary to protect the Catholic interests in the country. All those who cherish the name of Catholics must eagerly devote themselves, united in holy alliance, to this noble and necessary enterprise. While doing this, they must keep the diversity of opinions which may, on the other hand, be honestly and legitimately defended in due time, as long as they are not opposed to religion. For the Church does not disapprove of partialities of that kind, provided they are not in conflict with religion and justice. Rather, far from every noise of polemics, she keeps on working for the common welfare and loving all men with the affection of a mother.

13 Leo XIII, enc. *Diuturnum Illud* (1881).

Systems of Government and Powers of the State

The system or form of government that a particular society may take, as we have seen, depends on the local circumstances. Aristotle devoted Books III to VI of his *Politics* to a celebrated discussion of the classical systems of government. According to him, there are three orthodox systems and three unorthodox ones (which are the respective corruptions of the orthodox). First, BASILEIA or government by one (monarch or king), whose corruption is TYRANNIS or government by an arbitrary ruler who governs not for the common good but for his own private good. Second, ARISTOCRATIA or government by the best group, whose corruption is OLIGARCHIA or government by the most powerful group, though not necessarily the best. And third, POLITEIA or government by all the citizens, each according to his ability and combining the best of the other two systems, whose corruption is DEMOCRATIA or mob rule.[14] Obviously the meaning of this latter term has undergone a mutation and acquired rather the meaning of POLITEIA, as can be gleaned, for example, in Pope Pius XII's classical Christmas message of 1944, devoted to the topic of true democracy:

> By her very existence, the Church rises before the world as a shining beacon to remind it constantly of that divine order. Her history reflects clearly her providential mission. The struggles, which, coerced by the abuse of power, she has had to sustain in defense of the liberty given to her by God, were at the same time struggles for man's true liberty.
>
> The Church has the mission to announce to the world, which is looking for better and more perfect forms of democracy, the highest and most needed message that there can be: the dignity of man, the call to be sons of God.
>
> The holy story of Christmas proclaims this inviolable dignity of man with a vigor and authority that cannot be gainsaid—an authority and vigor that infinitely transcends that which all possible declarations of the rights of man could achieve.

14 St. Thomas Aquinas follows up Aristotle on this point in the *Summa Theologiae*, I-II, 105, 1:

> Two points are to be observed concerning the right ordering of rulers in the state or nation. One is that all should take some share in the government: for this form of constitution ensures peace among the people, commends itself to all, and is most enduring, as stated in *Polit.* II, 6. The other point is to be observed in respect to the kinds of government, or the different ways in which the constitutions are established. For whereas these differ in kind, as the Philosopher states (*Polit.* III, 5), nevertheless the first place is held by the *kingdom*, where the power of government is vested in a few, accordingly, the best form of government is in a state or kingdom, wherein one is given the power to preside over all; and yet a government of this kind is shared by all, both because all are eligible to govern, and because the rulers are chosen by all. For this is the best form of polity, being partly kingdom, since there is one at the head of all; partly aristocracy, in so far as a number of persons are set in authority; partly democracy, i.e., government by the people, in so far as the rulers can be chosen from the people, and the people have the right to choose their rulers.

Later, the Pope makes the celebrated distinction between *people* and *mass*:[15]

> People and amorphous multitude or, as one says, the *masses*, are two different concepts. A people lives and moves by its own vitality; the mass is inert in itself, and can only be moved from without. A people lives by the fullness of the life of men composing it, each one of whom—at his own post and in his own way—is a person conscious of his own responsibilities and his own convictions. The mass, on the contrary, waits for an impulsion from without, is an easy toy in the hands of whoever would exploit its instincts or emotionality, ready to follow in turn, today this, tomorrow that flag. Out of the vital exuberance of a true people, life flows out abundantly, richly, in the state and in all its organs, pouring into them, with unceasing renewed vigor, the consciousness of their own responsibility, the true sense of the common good. The elemental force of the mass, skillfully handled and used, can also be employed by the state; in the ambitious hands of one or several individuals, joined artificially by their selfish tendencies, the state can, with the support of the mass reduced to mere machine, impose its arbitrary will on the better part of the true people: the common interest is thereby affected grievously and for a long time, and the wound is often exceedingly difficult to heal.
>
> Out of these there clearly flows another conclusion: the mass—such as We have now defined it—is the chief enemy of true democracy and of its ideals of freedom and equality.
>
> In a people worthy of this name, the citizen feels in himself the consciousness of his personality, of his duties and rights, of his own freedom, coupled with respect for the freedom and dignity of others. In a people worthy of this name, all inequalities, issuing not from an arbitrary will but from the very nature of things, inequalities of education, possession, social status—without prejudice, let it be well understood, to justice and mutual charity—are not obstacles to the existence and prevalence of a genuine spirit of true brotherliness. On the contrary, far from affecting civil equality in any way, they confer upon its legitimate meaning, that is to say that, before the state, each individual has the right honorably to live his own personal life, in the place and in the conditions which have been assigned to him by the designs and dispositions of Providence.

15 Reminiscent of the following text from St. Thomas Aquinas:

> A power is called despotic whereby a man rules his slaves, who have not the right to resist in any way the orders of the one that commands them, since they have nothing of their own. But that power is called politic and royal by which a man rules over free subjects, who, though subject to the government of the ruler, have nevertheless something of their own, by reason of which they can resist the orders of him who commands. *Summa Theologiae*, I, 81, 3 and 2.

> In contrast with this picture of the democratic ideal of liberty and equality in a people which is governed by honest and provident hands, what a spectacle is offered by a democratic State left to the arbitrariness of the mass! Freedom, as a moral duty of the person, is turned into a tyrannical pretension to give free vent to men's impulses and appetites to the detriment of other people. Equality degenerates into a mechanical levelling, into a drab uniformity: the sentiment of true honor, personal commitment, respect for tradition, dignity—in a word, all that gives life its true value—little by little sinks and disappears. And there remain only, on one hand, the deluded victims of an illusory outward show of democracy, naively mistaken for the very spirit of democracy and for freedom and equality; and, on the other, the more or less numerous profiteers who have been able, through financial or organizational manipulation, to secure for themselves a privileged condition and a position of power over others.

In an earlier Christmas message, that of 1940, the same pontiff Pius XII had made it very clear that the Church's end is supernatural (the transcendent common good, i.e. God), while that of the state is temporal and hence may vary as to its system, though it must not be in conflict with man's last end beyond this life, i.e. it must agree with the natural moral law:

> It is useless to expect that the Church should favor one tendency rather than another among the different systems which vary with the times and depend on them. Within the scope of the universal value of the divine law, whose authority extends not only to individuals but also to peoples, there is plenty of room and freedom of movement for the most varied forms of political systems. At the same time, the practical adherence to one political system or another depends, to a very large extent and sometimes decisively so, on circumstances and causes which, considered in themselves, are foreign to the aim and activity of the Church.
>
> The church is defender and standard-bearer of the principles of faith and morals. And therefore, her only interest and desire is to hand on the clear source of the heritage and values of the Christian life to all peoples without exception through her educational and religious means. And this in such a way that each people, according to its own peculiarities, may avail itself of the ethical, religious, and Christian concepts and motivations to establish a society with the human dignity and spiritual excellence, which is the source of real well-being.

And the Second Vatican Council puts it this way:[16]

> It is highly important, especially in pluralistic societies, that a proper view exist of the relation between the political community and the Church. Thus, the faithful will be able to make a clear distinction between what a Christian conscience leads them to do in their own name as citizens, whether as individuals or in association, and what they do in the name of the Church and in union with her shepherds.
>
> The role and competence of the Church being what it is, she must in no way be confused with the political community, nor bound to any political system. For she is at once a sign and a safeguard of the transcendence of the human person.
>
> In their proper spheres, the political community and the Church are mutually independent and self-governing. Yet, by a different title, each serves the personal and social vocation of the same human beings. This service can be more effectively rendered for the good of all, if each works better for wholesome mutual cooperation, depending on the circumstances of time and place. For man is not restricted to the temporal sphere. While living in history, he fully maintains his eternal vocation.

In conclusion, political authority is given by God to the state for the sake of the people, i.e. for the service of the common good. This political authority includes the three powers: (i) to frame laws (legislative), (ii) to apply them (judicial or judiciary), and (iii) to enforce them (executive), which must be exercised always in the service of the common good, i.e. with adaptability to changing conditions but always in conformity with the moral law as the point of reference, as Pope John XXIII explains when talking about those three powers in his encyclical *Pacem in Terris* (1963):

> If, however, this juridical and political structure is to produce the advantages which may be expected of it, public officials must strive to meet the problems that arise in a way that conforms both to the complexities of the situation and the proper exercise of their function. This requires that, in constantly changing conditions, legislators never forget the norms of morality, or constitutional provisions, or the object requirements of the common good.
>
> Moreover, executive authorities must coordinate the activities of society with discretion, with a full knowledge of the law and after a careful consideration of circumstances, and the courts must administer justice impartially and without being influenced by favoritism or pressure. The good order of society also demands that individual citizens and intermediate organizations should be effectively protected by law whenever they have rights to be exercised

16 Pastoral Constitution *Gaudium et Spes* (1965), no. 76.

> or obligations to be fulfilled. This protection should be granted to citizens both in their dealings with each other and in their relation with government agencies.
>
> It is unquestionable that a legal structure in conformity with the moral order and corresponding to the level of development of the political community, is of great advantage to the achievement of the common good.[17]

17 See also chapter 3 above.

Chapter 12

Resistance to Unjust Government

Passive and Active Resistance

As was stated above, at the end of Chapter 2 and in Chapter 10 in connection with the efficient cause of society, if a given government upholds unjust laws (i.e. laws against the natural law) and tries to enforce them, there is an obligation on the part of the people to exercise at least *passive* resistance, i.e. refusal to comply with the laws, or, if forced to comply with them, obedience under duress.

A more complex question, however, is that of *active resistance.* May violence be used in this case?

Violence is the application of force from outside to something against its nature and inclination. It is contrary to both nature and reason:

1. When things are treated in a way contrary to their nature, they suffer damage or even lose their being: this happens with both inanimate and living things: violence is precisely doing something against the natural being and behavior of a thing;
2. It is also contrary to reason, i.e. to the rational judgment of man, dictating that he ought to be just and fair to his fellowmen (we are fundamentally equal), and even compassionate and ready to forgive: justice and love are the dictates of reason, as we saw above when discussing the principle of solidarity in Chapter 3.

Therefore, violence *of itself* can never be a moral obligation. This is very clear in the Gospel[1]:

> And they went and entered a Samaritan town to make ready for him, and they did not receive him, because his face was set for Jerusalem. But when his disciples James and John saw this, they said, *Lord, wilt thou that we bid fire come down from heaven and consume them?* But he turned and rebuked them, saying, *You do not know of what manner of spirit you are; for the Son of Man did not come to destroy men's lives, but to save them.*

But, can violence ever become a *right*? Can there be a situation such that violence would seem to be the only way to achieve justice, in which case it would be rightful or legitimate to use it (without thereby being an *obligation*)?

Discussing the private enforcement of rights in Chapter 6 above, we saw the conditions required for the lawfulness of such enforcement. In connection with self-defense, St. Thomas Aquinas also states the following:

> Strife is a kind of private war, because it takes place between private persons, being declared not by public authority, but rather by an inordinate will. Therefore strife is always sinful. In fact it is a mortal sin in the man who attacks another unjustly, for it is not without mortal sin that one inflicts harm on another even if the deed be done by the hands. But in him who defends himself, it may be without sin, or it may sometimes involve a venial sin, or sometimes a mortal sin; and this depends on his intention and on his manner of defending himself. For if his sole intention be to withstand the injury done to him, and he defended himself with due moderation, it is no sin, and one cannot say properly that there is strife on his part. But if, on the other hand, his self-defense be inspired by vengeance and hatred, it is always a sin. It is a venial sin, if a slight movement of hatred or vengeance obtrude itself, or if he does not much exceed moderation in defending himself: but it is a mortal sin if he makes for his assailant with the fixed intention of killing him, or inflicting grievous harm on him.[2]

Then, he takes up the matter of *sedition* or civil war "as when one part of the state rises in tumult against another part," and establishes that it is a special kind of sin, since it "is opposed to a special kind of good, namely the unity and peace of a people."[3] In the following article, he proves that sedition is always a mortal sin thus:

1 Lk 9:52-56.
2 *Summa Theologiae*, II-II, 41, 1.
3 *Ibid.*, II-II, 42,1.

> As stated above (A. 1 and 2), sedition is contrary to the unity of the multitude, viz. the people of a city or kingdom. Now, Augustine says (*De Civ. Dei* ii, 21) that *wise men understand the word people to designate not any crowd of persons, but the assembly of those who are united together in fellowship recognized by the law and for the common good.* Wherefore it is evident that the unity to which sedition is opposed is the unity of law and common good: whence it follows manifestly that sedition is opposed to justice and the common good. Therefore by reason of its genus it is a mortal sin, and its gravity will be all the greater according as the common good which it assails, surpasses the private good which is assailed by strife.
>
> Accordingly the sin of sedition is first and chiefly in its authors, who sin most grievously; and secondly it is in those who are led by them to disturb the common good. Those, however, who defend the common good, and withstand the seditious party, are not themselves seditious, even as neither is a man to be called quarrelsome because he defends himself, as stated above(Q.41, A. 1)

And he answers the objection as to whether sedition would be justifiable against an unjust government and therefore would not be a sin in that case, as follows:

> A tyrannical government is not just, because it is directed, not to the common good, but to the private good of the ruler, as the philosopher states (*Polit.* iii, 5; *Ethic.* viii, 10). Consequently, there is no sedition in disturbing a government of this kind, unless indeed the tyrant's rule be disturbed so inordinately, that his subjects suffer greater harm from the consequent disturbance than from the tyrant's government. Indeed, it is the tyrant rather, that is guilty of sedition, since he encourages discord and sedition among his subjects, that he may lord over them more securely; for this is tyranny, being conducive to the private good of the ruler, and to the injury of the multitude.

Therefore, for violence (active resistance) to be ever *justifiable* against an unjust government (although it can never be desirable or obligatory), the following conditions should clearly exist.

Conditions for Active Resistance

1. The tyranny has become altogether intolerable, and justice has practically ceased to exist.
2. There is no other alternative (when democratic institutions are in operation, this could hardly ever happen).
3. Force is used to meet force (akin to the principle of self-defense).

4. No more violence is used than strictly necessary (revengefulness or the passion for vengeance forfeits any moral right to demand redress).

These conditions are extremely stringent: they make violent revolution hardly justifiable at all. This is because what is good and natural for society is peaceful and gradual evolution by the free initiative of men, not by so-called inexorable historical laws in the Marxian sense, as we saw above, at the end of Chapter 10. When men despair of reason and resort to arms, they show at least a very pessimistic outlook on human nature. Hope is more creative, provided of course that it is expressed in concrete activity in favor of reason and justice.

Paul VI puts it this way in the encyclical *Populorum Progressio* (1967):

> We know, however, that a revolutionary uprising—save where there is manifest, long-standing tyranny which would do great damage to fundamental personal rights and dangerous harm to the common good of the country—produces new injustices, throws more elements out of balance and brings on new disasters. A real evil should not be fought against at the cost of great misery.

And Pius XII, addressing the Italian workers on 13 June 1943:

> Not in revolution, but in a harmonious evolution is where salvation and justice are to be found. Violence never did anything but to demolish, instead of building; enkindle the passions, instead of pacifying them; accumulate hatred and ruins, instead of reconciling the contestants; and it has constrained both men and parties to the painful necessity of slow reconstruction, after painful trials, upon the ruins of discord. Only a progressive and prudent evolution, courageous and in accord with nature, enlightened and guided by the holy Christian norms of justice and equity, can lead to the fulfillment of the desires and the rightful demands of the worker.

The Marxian Doctrine of Violent Revolution

The Marxist ideology (dialectical and historical materialism), even if Marxists object to the term "ideology," deserves special attention as it makes revolution a *necessary law* (just as the physical laws) of the evolution of society, as part of the evolution of matter, which has reached its peak with the sensible (animal) consciousness of the social or collective man. Thus, it provides an ideological justification to make revolution not only a right but a necessary obligation, and declares all *reactionaries* (those who *react* against revolution) to be necessarily wrong and doomed to be swept aside by the *inevitable* forces of revolution. With emotionally charged slogans and frightful oversimplifications, Marxists take advantage of the real or imagined injustices of society to stir up hate and vindictiveness so as to provoke violent conflicts:

the class-struggle, as the reflection of the dialectical development of matter in society.

The Marxist ideology is based on:

1. The principle that hatred (conflict, strife, the clash of opposites) is the creative force in society, not love or harmony;
2. The total denial of individual freedom and personal rights, since man's reality is totally social, without any dimension transcending society;
3. The total denial of God as the condition for the affirmation of man and his liberation from all alienations: "The critique of religion is the beginning of all critiques";
4. The total denial of any life beyond this material universe: only matter exists and there is no personal immortality.

In response, Piux XI wrote[4]:

> What would be the condition of a human society based on such materialistic tenets? It would be a collectivity with no other hierarchy than that of the economic system. It would have only one mission: the production of material things by means of collective labor, so that the goods of this world might be enjoyed in a paradise where each would "give according to his powers" and would "receive according to his needs." Communism recognizes in the collectivity the right, or rather, unlimited discretion, to draft individuals for the labor of the collectivity with no regard for their personal welfare; so that even violence could be legitimately exercised to dragoon the recalcitrant against their wills. In the communist commonwealth, morality and law would be nothing but a derivation of the existing economic order, purely earthly in origin and unstable in character. In a word, the communists claim to inaugurate a new era and a new civilization which is the result of blind revolutionary forces culminating in a humanity without God.

Psychological and Cultural Violence

What has just been stated is not invalidated by the more recent developments of Mao Zedong's so-called cultural revolution and the self-styled Euro-communism of the Italian Communist Party (followed by other Western Communist parties) based on Gramsci's idea of the gradual undermining of bourgeois society by the infiltration of the intellectual world of education and mass media. These attempts claim to demonstrate that violence is not inherent to Marxism, that it is possible to have a Communism "with a

4 Pius XI, enc. *Divini Redemptoris* (1937).

pleasant face," as the Italian Communists put it (which reminds one of St. Paul's remark that "Satan himself disguises himself as an angel of light"[5]).

But in fact, whatever can be said against *physical* violence applies even more so to that kind of psychological and cultural violence perpetrated in those attempts, which are fully consonant with the notorious Machiavellianism of the Marxist ideology: *anything* that furthers the revolution in any way is justifiable and right. Psychological brainwashing has been amply utilized by Communism, not only to convince and "re-educate" dissentients in its own territory, but to cleverly indoctrinate the public through the mass media outside its territory by exposing carefully framed up immoralities of bourgeois society, and posing as the righteous forerunners of the liberated society of the future, which is inevitably coming as capitalism crumbles under its inherent contradictions. This is also violence, and of a more refined and sophisticated nature.

Absolute Incompatibility with Christianity

Marxist Communism is absolutely incompatible with Christianity, among other reasons, because, according to the New Testament, violence is not something to be done to others but to oneself:

> You have heard that it was said, *Thou shalt love thy neighbor, and shalt hate thy enemy*. But I say to you, love your enemies, do good to those who hate you, and pray for those who persecute and calumniate you, so that you may be children of your Father in heaven, who makes his sun to rise on the good and the evil, and sends rain on the just and the unjust.[6]
>
> If anyone wishes to come after me, let him deny himself, and take up his cross daily, and follow me. For he who would save his life will lose it; but he who loses his life for my sake will save it.[7]

See also Chapter 2, as well as innumerable additional texts from the New Testament, such as:

Matthew 7:12-14; 11:12; 18:8-9 and 21-22; Mark 9:42-49;
Luke 6:27-38; 9:52-56; 14:27; 17:3-4; John 13:34-35;
Romans 8:17; 12:1-3 and 9-14; 13:1-10;
1 Corinthians 1:18-25; 13:1-13; 2 Corinthians 4;
Galatians 2:19-21; 5:13-26; Ephesians 4:1-3; 5:1-2;
Philippians 2:1-5; Colossians 1:19-24; 3:5-10;
1 Thessalonians 4:1-11; 1 Timothy 4:11-16; 2 Timothy 4:5-8;
Titus 2:11-14; James 3:13-18;
1 Peter 1:13-17; 2:11-17; 3:8-13; 4:1-3; 2 Peter 1:4-7; etc.

5 2 Cor 11:14.
6 Mt 5:43-45.
7 Lk 9:23-24.

No wonder the official teaching of the Church has always condemned Marxist Communism ever since Pope Pius IX's encyclical *Qui Pluribus*, published in 1846, i.e. two years before the publication of Marx's and Engels' programmatic work *Manifesto of the Communist Party*.[8]

It is worth mentioning here the stand taken by the Church precisely at the very center of it. In view of the approaching Italian general elections in the spring of 1976, the Vatican daily *L'Osservatore Romano* published the following report in its issue of 20-21 October 1975:

> At the monthly meeting of 19 October last with the parish priest prefects and the auxiliary bishops and delegates, the Cardinal Vicar of Rome, Ugo Poletti, addressed the following exhortation to his diocesan pastoral co-workers:
>
> In the pastoral year now beginning, a grim possibility looms before us—precisely because it affects Rome, it could also have an alarming echo in the universal Church. In a few months, perhaps through our fault, the city of Rome could be irresponsibly surrendered to a marxist administration, with all the expected consequences.
>
> It could happen that (the Italian Communist Party) accepts the power in the city, making use, however, of further concessions from us, so as to cover up its tactics and strategy.
>
> Our fears do not stem from material interests or concerns, but only from the inevitable confrontation which will occur between the *City of God*, which is the Church, and the *City without God*, which, in marxist materialism, will affect the spiritual destiny of many of our faithful. No one should harbor the illusion of erasing this possibility from the future.
>
> Communism is today also, as it has always been and will always be, marxist materialism: tactically it may look for other expressions of tolerance, but in its essence it is substantially, and will continue to be, materialist and atheist. Perhaps, out of opportunism, it will not go at once *against God*, but it will always want a *City without God*. Our faith and the salvation of souls are here at stake.
>
> That we have to take a stand before the city and before the world watching us, is not therefore due to political or administrative interests, but to a duty of faith. This is why we ask those politicians who have faith for a thorough revision of their conduct.
>
> To this effect, and in order to avoid any misunderstandings and counteract any slanted statements, I wish to affirm without the slightest equivocation that any concession to communism or marxism will never count on my agreement: in no way whatsoever and at no time, nor can I admit it in any of my co-workers.

8 Cf. my book *Marxism, Socialism, and Christianity*, 2nd ed. (Manila: Sinag-tala, 1983), Chapter 9.

This declaration from the pope's own vicar for the city of Rome caused an expected furor in the Marxist camp which has been working, following Antonio Gramsci's ideological leadership, for the gradual undermining of the Church by fostering a "dialogue" with the "progressive wing" of Catholicism (identified with the contemporary followers of the humanistic and faithless *modernist* heresy, condemned by St. Pius X in 1907), while relentlessly denigrating "outdated," "outmoded," "reactionary," and "conservative" Catholicism. A few days later, on 10 November 1975, the Milan daily *Corriere della Sera* carried the following report and comment, signed by Fabrizio de Santis, under the headline "Pope Approves Poletti's Statements":

> In the address delivered to the faithful of the diocese at St. John of the Lateran, Cathedral of Rome, the pope has endorsed the recent stand taken by the Cardinal Vicar regarding the relations between christians and communists in view of the forth-coming administrative elections in the capital.
>
> The controversies generated in the press by those statements were concerned not so much with whether it is to be expected that a Catholic prelate should declare the christian doctrine incompatible with marxist ideology, as with the fact of rejecting any possibility of collaboration with communists in the field of practical action, and expressing his thought at this time in "pre-conciliar language." Some ventured to suggest that Cardinal Poletti was yielding to pressure from some ecclesiastical and lay sectors of Rome and failing to toe the Vatican Line.
>
> Paul VI put an end yesterday to those speculations. Towards the end of his homily, after calling the attention of the faithful to the value of the Roman spirit understood in a christian way, he said, with obvious reference to non-Christian ideologies: "Why go to the deceptive fountains, instead of drinking the ever fresh and crystal-clear water which continues to flow generously from Roman and christian humanism?"
>
> Later, Paul VI praised "the piety, zeal, consistency and abnegation which Our Cardinal Vicar is unceasingly preaching to you with pastoral wisdom and concern, both rightly alerting you, as he has done recently, against formulas which are inadmissible for living members of the ecclesial community, and with his exhortations to a renewed action, fraternal and loving, for the benefit of all."

Cardinal Poletti's controversial statements could not have found a more explicit approval, even without the Pope's uttering the actual words "Marxism" or "Communism."

Chapter 13

Society and Nationhood

The Century of Nationalism

The opening lines of *La Marseillaise*, the French national anthem, written at the height of the French Revolution of 1789, read as follows:

> *Allons Enfants de la Patrie!*
> *Le jour de gloire est arrive!*
> (Forward, Children of the Fatherland!
> The day of glory has arrived!)

Compare them with the opening lines of the German national anthem, written during the upsurge of German nationalism (*Volksgeist*) in the first half of the 19th century under the impetus of the romantic movement in all cultural fronts:

> *Deutschland, Deutschland Uber Alles!*
> *Uber Alles in der welt!*
> (Germany, Germany, Above All!
> Above All in the World!)

Most national anthems were written in the 19th century: the century of nationalism and the worship of national symbols like anthems, flags, and flowers.

This movement had been brewing at least since the Renaissance and the Protestant Revolt of the 16th century, but politically, it was triggered by Napoleon's attempt to subjugate the whole of Europe under the momentum and in the name of the overpowering nationalism of the French Revolution, of which he had become First Consul in 1799 and Emperor in 1802: this revolution had substituted the sovereignty of the people or *nation* for that of the king.

He almost succeeded, but was thwarted first by the matching nationalistic defiance of England, followed by the vehement rise of national sentiment in Spain, which led to the first defeat on land of the formidable Napoleonic armies. The Germans and the Russians joined the counterattack and eventually Napoleon met his Waterloo in 1815. But the ball had started rolling, and the national spirit was now on the loose almost everywhere. Greece won her independence from Turkey, Belgium from Holland, and the Scandinavian countries split up into Finland, Norway, Sweden and Denmark. Poland rose against Russia and the Balkan countries against Austria, while Italy and Germany achieved their respective unifications.

Parallel to this, in the Americas, the movement had started with the United States' declaration of independence in 1776 and the ensuing war that lasted until 1783, followed by the independence of Haiti from France, and a constellation of new independent republics out of the liquidations of the old Spanish and Portuguese empires.

The 19th century also saw the spread of nationalism to Asia in the struggle against the economic and political domination of the old European powers of Britain, France, Holland and Spain, while Africa became the new theater of European nationalistic expansion with Belgium, Germany and Italy joining in. The climax was reached with the outbreak of hostilities in the Balkans in August 1914, which developed into World War I: the greatest bloodbath then experienced by mankind in recorded history, with casualties reaching the million mark in single battles.

This holocaust, rather than chastening the spirit of nationalism, actually goaded it into a new explosion: World War II, triggered by German National Socialism, an ideological revival of the 19th century *Volksgeist* compounded with racism and the vital need to expand (*Lebensraum*), which had been thwarted by the economic domination of the western democracies and Jewish financial power.

The march of nationalism continued unabated after World War II with the United Nations Organization receiving new members (independent sovereign countries) almost every year.

Pope John XXIII wrote in 1963[1]:

> Men all over the world have today—or will soon have—the rank of citizens in independent nations. No one wants to feel subject to political powers located outside his own country or ethnic group. For in our day, those attitudes are fading, despite their prevalence for so many hundreds of years, whereby some classes of men accepted an inferior position, while others demanded for themselves a superior position, on account of economic and social conditions, of sex, or of assigned rank within the political community. On the contrary, the conviction that all men are equal by reason of their natural dignity has been generally accepted.

The Internationalism of Marxist Communism

Ever since the publication of the *Manifesto of the Communist Party* in 1848, the Marxist ideology became the strongest, though most subtle, reactionary force against nationalism, since, according to Marx and Engels, nationalism was an idealist and hence alienating dream, to be replaced by the internationalism of the proletarian world revolution, as they expressed in the well-known battlecry on the frontispiece of the *Manifesto*: "Proletarians of all countries, unite!"

Later, however, confronted with the Russian Marxist revolutionary movement led by Lenin, Marxist communism came to terms, so to speak, with nationalism by allowing it to be an intermediary stage towards the final international world communism: the well-known communist anthem is called the *Internationale*, and not without reason. This compromise, however, was reached not without bloodshed, as shown by the bitter struggle between Stalin and Trotsky, culminating in the assassination of the latter in Mexico City in 1940, which gives an idea of the crucial position of this issue in the Marxist ideology.

The ideological anti-nationalism of communism[2] has led it into outright defeats, such as in the Spanish Civil War of 1936-39, and later in Malaysia and Indonesia, or to serious troubles such as in the uprisings in Poland in 1953, in Hungary in 1956, and in Czechoslovakia in 1968. Their avowed policy, however, is to foster "national liberation movements" everywhere, creating the impression that they are the champions of nationalism.

That communism has had to make these adaptations, incidentally quite consistent with its pragmatic Machiavellianism (see previous chapter), shows the undeniable power of the spirit of nationalism, which must be reckoned with.

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1 In the encyclical *Pacem in Terris* (1963).

2 During World War I, before the successful Bolshevik revolution of October 1917, Bolshevik agents joined the Russian Tsarist army with the purpose of inciting the Russian soldiers to mutiny and so undermine Russian resistance to Germany. One of the first acts of the Bolshevik revolutionary government of Lenin and Trotsky was to capitulate to Germany.

The Principle of Nationality and the Concept of Nationhood

The so-called Principle of Nationality is, as we have seen, the cultural and political child of the nationalist movement of the 19th century. This is its formulation: *There should be one state for every nation.* In other words, every nation has the natural right to self-determination and self-government. Or again: nationality or nationhood is the necessary efficient cause of statehood or sovereignty.

This principle needs a careful ethical assessment, as it has led to both heroic struggles for freedom and to dreadful genocides.

Is *political* independence a *necessary* requirement for the achievement of the common good of a nation?

First, let us analyze the constituent elements of the concept of nationhood. A nation is a natural community growing out of the coalescence of a plurality of tribes of the same stock sharing common territory, although right from the start we cannot ignore the remarkable exception of the Jews, retaining their nationhood for centuries while scattered in so many and far-flung lands. It is a concept, therefore, clearly distinct from that of state, which rather means the organized civil society with a system of government. The United Kingdom of Great Britain and Northern Ireland, for example, can be considered as one state including four nations: the English, the Scottish, the Welsh, and the Irish.

John Stuart Mill's observation in his *Considerations on Representative Government* (1861) is relevant:

> A portion of mankind may be said to constitute a nationality if they are united among themselves by common sympathies which do not exist between them and any others . . . this feeling of nationality may have been generated by various causes. Sometimes it is the effect of the identity of race and of descent. Community of language and community of religion greatly contribute to it. Geographical limits are one of its causes. But the strongest of all is identity of political antecedents; the possession of a national history, and consequent community of recollections; collective pride and humiliation; pleasure and regret, connected with the same incidents in the past.

The example of one of the oldest European nations, the Helvetic Confederation (Switzerland), achieving its independence in the 14th century out of the fusion of four different ethnic and linguistic groups, proves that neither race nor language are the most decisive elements in forging a nation, but rather common history and territory, although, again, without rigid necessity.

Sometimes, historical and geographical circumstances bring about a fusion of ethnic and linguistic groups, and a new nation emerges, without necessarily obliterating the ethnic and linguistic differences. Other times, a

community of nations shares the same language and culture, while retaining national differences. An example of the latter is the Spanish-speaking countries, while an example of the former is China, with its plurality of spoken languages and racial types, but sharing the same written language and culture.

The concept of nationhood is therefore extremely vague, as the unpredictable factor of human freedom is involved, and while no one will dispute the *right* of cultural minorities to preserve their identity, it does not follow that it is their *obligation* to seek political self-determination, or that a nation *necessarily* requires a state. Political here-and-now considerations may make it justifiable and indeed commendable to seek political independence by fair means, but the "principle of nationality" cannot be accepted *a priori*, i.e. as a necessary axiom, as if it were an essential requirement for the common good of a nation: it was indeed invoked by Nazi Germany in their chain of annexations which led to World War II. As long as minorities have a guarantee for their self-identity within a larger community, they have no obligation to seek political independence. And if the optional struggle for political independence involves physical violence, the same criteria should be applied as those explained in the previous chapter in connection with active resistance (see also previous chapter for other types of violence).

In his Christmas address of 1941, Pope Pius XII wrote:

> In the field of a new order founded on moral principles, there is no place for open or camouflaged oppression of the cultural and linguistic peculiarities of national minorities, for hindering or curtailing their economic capacity, for limiting or abolishing their natural fecundity. The more conscientiously the competent authorities of the state respect the rights of the minorities, the more surely and effectively can it demand of its members that they carry out loyally the civic duties which are shared with other citizens.

John XXIII also took up this point in his encyclical *Pacem in Terris* (1963):

> Especially noteworthy is the trend that since the 19th century has become quite prevalent and strong, namely the desire of those of similar ancestry to be autonomous and to form a single nation. However, for various reasons, this has not always been possible, and hence minorities are found within the geographical limits of some other ethnic group, so that there have arisen problems of grave moment.
>
> In the first place, it must be made clear that justice is seriously violated by whatever is done to limit the strength and numerical increase of these lesser peoples; the injustice is even more serious if such sinful projects are aimed at the very extinction of these groups.

> On the other hand, the demands of justice are admirably observed by those civil authorities who promote the human welfare of those citizens belonging to a smaller ethnic group, particularly as regards their language, the development of their natural gifts, their ancestral customs and their accomplishments and endeavors in the economic order (cf. Pius XII's Christmas message of 1941).
>
> It should be noted, however, that these minority groups, either because of a reaction to their present situation or because of their historical difficulties, are often inclined to exalt beyond due measure anything proper to their own people, so as to place them even above human values, as if what is good for humanity were to be at the service of what is good for the ethnic groups themselves. Reason rather demands that these very people recognize also the advantages that accrue to them from their peculiar circumstances; for instance, no small contribution is made towards the development of their particular talents and spirit by their daily dealings with people who have grown up in a different culture. This, however, will be true only if the minorities, in their relations with the peoples around them, show an interest in the customs and institutions of these same peoples. It will not be true if they sow discord, which can cause considerable damage and choke off the development of nations.

And the Second Vatican Council in *Gaudium et Spes* (1965), no. 73:

> Among numerous people, cultural, economic, and social progress has been accompanied by the desire to assume a larger role in organizing the life of the political community. In many consciences there is a growing intent that the rights of national minorities be honored while at the same time these minorities honor their duties towards the political community.

Love of One's Country as Part of the Virtue of Piety

In Chapters 5 and 6 above, we have discussed the concepts of right and justice, while in the first four chapters we have seen the absolute indebtedness of all beings to the Fullness of Being, of whom they are created participations: God is the Supreme Good, the Common Good of the entire universe. Then we have seen how God, just as He shares out His being, also shares out His ownership of all created goods (Chapter 7), and his providence or government with (i) parental authority (Chapter 8 and 9), and (ii) political authority (Chapters 10 to 12). It is clear by now, therefore, that the supreme right is the divine right, since what is *due* above all is the totality of participated creation to their primordial and ultimate source.

God also shares out his fatherhood, "From whom **all fatherhood** in heaven and on earth receives, its name," as St. Paul says,[3] with (i) **parents, and** (ii) civil society. To this, the virtue of piety is related.

St. Thomas Aquinas ranks religion and piety at the top of **the virtues** "annexed" to justice, and he explains[4] what they have in common with **justice** and in what they differ:

> Two points must be observed about the virtues annexed to a principal virtue. The first is that these virtues have something in common with the principal virtue; and the second is that in some respect they fall short of the perfection of that virtue. Accordingly, since justice is of one man to another, as stated above (Q. 58, A.2), all the virtues that are directed to another person may, by reason of this common aspect, be annexed to justice. Now the essential character of justice consists in rendering to another his due according to equality, as stated above (Q. 58, A. 11). Wherefore in two ways may a virtue directed to another person fall short of the perfection of justice: first, by falling short of the aspect of equality; secondly by falling short of the aspect of due. For certain virtues there are which render another his due, but are unable to render the equal due. In the first place, whatever man renders to God is due, yet it cannot be equal, as though man rendered to God as much as he owes him. . . . In this respect *religion* is annexed to justice since, according to Tully, it consists in offering service and ceremonial rites or worship to "some superior nature that men call divine." Secondly, it is not possible to make one's parents an equal return of what one owes to them, as the philosopher declares (*Ethic*, viii, 14); and thus piety is annexed to justice, for thereby, as Tully says, a man "renders service and constant deferences to his kindred and the well-wishers of his country."

Thus, religion and piety, though owed in justice, transcend the limits of justice to reach the level of loving without measure, although with an order of priorities (the order of charity)[5] determined by the greater or lesser proximity to the primordial fatherhood of God. He explains the virtue of piety as follows:[6]

> Man becomes a debtor to other men in various ways, according to their various excellence and the various benefits received from them. On both counts God holds first place, for he is supremely excellent, and is for us the first principle of being and government. In the second place, the principles of our being and government are our

3 Eph 3:15.
4 *Summa Theologiae*, II-II, 80, 1.
5 Cf. *Ibid.*, II-II, 26.
6 *Ibid.*, II-II, 101, 1.

> parents and our country, that have given us birth and nourishment. Consequently, man is debtor chiefly to his parents and his country, after God. Wherefore just as it belongs to religion to give worship to God, so does it belong to piety, in the second place, to give worship to one's parents and one's country.

And then he goes on to mention the extension of this virtue to the lesser (derived) degrees of participation in God's fatherhood:

> The worship due to our parents includes the worship given to all our kindred, since our kinsfolk are those who descend from the same parents. . . . The worship given to our country includes homage to all our fellow-citizens and to all the friends of our country. Therefore, piety extends chiefly to these.

So, we are bound to love (i) our parents and (ii) our country, but *under* God, which means that neither our parents nor our country can ask us to do anything contrary to God and His eternal law: in case of conflict the moral choice is very clear: "We must obey God rather than men."[7]

We must therefore distinguish the rightful and virtuous love of one's country (patriotism) from the nationalism that deifies one's country or race, and despises, hates or injures other countries: this is a sin against both the First Commandment (loving God above all things) and the Second Commandment (loving one's neighbor as oneself)[8] and it consists in a perverted preference for the national common good to the detriment of the universal common good (see next chapter).

Pope Pius XI sounded a wise note against the dangers of nationalism in his encyclical *Divini Illius Magistri* (1929):

> The state may reserve to itself the establishment and direction of schools intended to prepare for certain civic duties and especially for military service, provided it be careful not to injure the rights of the Church or the family in what pertains to them. It is well to repeat this warning here; for in these days there is spreading a spirit of nationalism which is false and exaggerated, as well as dangerous to true peace and prosperity. Under its influence various excesses are committed in giving a military turn to the so-called physical training of boys (sometimes even of girls, contrary to the very instincts of human nature); or again in usurping unreasonably on Sunday, the time which should be devoted to religious duties and to family life at home. It is not Our intention, however, to condemn what is good in the spirit of discipline and legitimate bravery promoted by these methods: We condemn only what is excessive, as for example

7 Acts 5:29.
8 Cf. Mt 22:37-39.

> violence, which must not be confused with courage nor with the noble sentiment of military valor in defense of country and public order; or again exaltation of athleticism which even in classic pagan times marked the decline and downfall of genuine physical training.

Two years later, in his encyclical *Non Abbiamo Bisogno* (1931), he strongly condemned what he called the *statolatry* or state-worship of the Italian fascist regime. And in 1937, in the encyclical *Mit brennender Sorge*, he exposed and condemned in even stronger terms the action, policies, and ideology of the German National Socialist Party.

John XXIII wrote the following in his Christmas message of 1959:

> The basis of international peace is, above all, *truth*.[9] For also in international relations is the Christian affirmation valid: *The truth will set you free* (Jn 8:32). It is necessary therefore to supersede certain wrong conceptions, such as the myth of *might is right*, that of nationalism or any such like, which have poisoned the association of peoples, and to base peaceful living together on the moral principles, according to the teaching of right reason and Christian doctrine.
>
> Side by side with truth, and illumined by it, there must stand *justice*. This virtue suppresses the reasons for discord and war, settles disputes, defines obligations, assigns duties, and answers the rights of every party.
>
> Justice, in its turn, has to be completed and sustained by Christian *charity*. This means that love of neighbor and of one's country should not withdraw into oneself, in a form of closed egoism suspicious of the good of others, but must wax and expand so as to embrace all nations and establish vital relations with them, in a spontaneous movement towards solidarity. Thus, we will be able to speak of *living together*, not just *co-existing*, which is something without solidarity, and so, raising barriers behind which there lurk mutual suspicion, fear and terror.

9 In an address on 13 October 1955, Pius XII had stated:
"The cult of truth, favored by the immense teaching activity of the Church, becomes a service of inestimable value to achieve reconciliation and understanding, and cooperation of men and nations. If all nations really and sincerely want, seek, accept and profess the truth and only the truth, they have indeed entered the way which by its very nature leads to mutual understanding and union. For truth (whichever be its formulation) is only one, and therefore the will and the universal desire of truth can only be one. Error, on the other hand, as opposed to truth and to reality, is by its very nature divisive."

And the Second Vatican Council, in *Gaudium et Spes* (1965), no.75:

> Citizens should develop a generous and loyal devotion to their country, but without any narrowing of mind. In other words, they must always look simultaneously to the welfare of the whole human family, which is tied together by the manifold bonds linking races, peoples, and nations.

This leads us to our last topic.

Chapter 14

The Common Good on a Worldwide Basis

Universality of the Entire Human Family

As a natural expression of the *catholicity* or universality of the Roman Catholic Church,[1] Pope Pius XII addressed his first encyclical[2] to a world torn by discord and enmity, and already engaged in a conflict which was to involve practically every nation on earth, in these terms:

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1 "To be 'Catholic' means to love our country, and to let nobody surpass us in that love. And at the same time, it means to hold as our own, the noble aspirations of all the other lands. How many glories of France are glories of mine! And in the same way, many things that make Germans proud—and Italians, British, Americans and Asians and Africans—are also sources of pride to me.

"Catholic! A great heart, an open mind." L. Escriva de Balaguer, *The Way*, no.525.

And the same author in *Christ Is Passing By*, no. 106:

"A Christian knows that he is grafted on to Christ through baptism. He is empowered to fight for Christ through confirmation, called to act in the world sharing the royal, prophetic and priestly role of Christ. He has become one and the same thing with Christ through the Eucharist, the sacrament of unity and love. And so, like Christ, he has to live for other men, loving each and every one around him and indeed all humanity . . .

"Our Lord has come to bring peace, good news and life to all men. Not only to the rich, nor only to the poor. Not only to the wise nor only to the simple. To everyone, to the brothers, for brothers we are, children of the same Father, God. So there is only one race, the race of the children of God. There is only one color, the color of the children of God. And there is only one language, the language which speaks to the heart and to the mind, without the noise of words, making us know God and love one another."

2 *Summa Pontificatus* (1939).

The first of these pernicious errors, widespread today, is the forgetfulness of that law of human solidarity and charity which is dictated and imposed by our common origin and by the equality of rational nature in all men, to whatever people they belong, and by the redeeming sacrifice offered by Jesus Christ on the altar of the cross to his heavenly Father in behalf of sinful mankind.

In fact, the first page of the Scripture, with magnificent simplicity, tells us how God, as a culmination to his creative work, made man to his own image and likeness (cf. Gen 1:26-27); and the same Scripture tells us that he enriched man with supernatural gifts and privileges, and destined him to an eternal and ineffable happiness. It shows besides how other men took their origin from the first couple, and then goes on, in unsurpassed vividness of language, to recount their division into different groups and their dispersion to various parts of the world. Even when they abandoned their Creator, God did not cease to regard them as his children, who, according to his merciful plan, should one day be reunited once more in his friendship (cf. Gen 12:3).

The Apostle of the Gentiles later on makes himself the herald of this truth which associates men as brothers in one great family, when he proclaims to the Greek world that *God hath made of one, all mankind, to dwell upon the whole face of the earth, determining appointed times, and the limits of their habitations, that they should seek God* (Acts 17:26-27).

A marvelous vision, which makes us see the human race in the unity of one common origin in God *one God and Father of all, who is above all, and through all, and in us all* (Eph 4:6); in the unity of nature which in every man is equally composed of material body and spiritual, immortal soul; in the unity of the immediate end and mission in the world; in the unity of dwelling place, the earth, of whose resources all men can by natural right avail themselves, to sustain and develop life; in the unity of the supernatural end, God himself, to whom all should tend; in the unity of means to secure that end.

It is the same apostle who portrays for us mankind in the unity of its relations with the Son of God, image of the invisible God, in whom all things have been created: *In him were all things created* (Col 1:16); in the unity of its ransom, effected for all by Christ, who, through his holy and most bitter passion, restored the original friendship with God which had been broken, making himself the mediator between God and men: *For there is one God, and one mediator of God and men, the man Christ Jesus* (1 Tim 2:5).

And to render such friendship between God and mankind more intimate, this same divine universal mediator of salvation and of peace, in the sacred silence of the supper room, before he consummated the supreme sacrifice, let fall from his divine lips the

words which reverberate mightily down the centuries, inspiring heroic charity in a world devoid of love and torn by hate: *This is my commandment, that you love one another, as I have loved you* (Jn 15:12).

These are supernatural truths which form a solid basis and the strongest possible bond of a union, that is reinforced by the love of God and of our divine redeemer, from whom all receive salvation *for the edifying of the body of Christ: until we all meet into the unity of faith, and of the knowledge of the Son of God, unto a perfect man, unto the measure of the age of the fullness of Christ* (Eph 4:12-13).

In the light of this unity of all mankind, which exists in law and in fact, individuals do not feel themselves isolated units, like grains of sand, but united by the very force of their nature and by their supernatural destiny, into an organic, harmonious mutual relationship which varies with the changing of times.

And the nations, despite a difference of development due to diverse conditions of life and of culture, are not destined to break the unity of the human race, but rather to enrich and embellish it by the sharing of their own peculiar gifts and by that reciprocal interchange of goods which can be possible and efficacious only when a mutual love and a lively sense of charity unite all the sons of the same Father and all those redeemed by the same divine blood.

The Church of Christ, the faithful depositary of the teaching of divine wisdom, cannot and does not think of deprecating or disdaining the particular characteristics which each people, with jealous and understandable pride, cherishes and retains as a precious heritage. Her aim is a supernatural union in all-embracing love, deeply felt and practiced, and not the unity which is exclusively external and superficial and by that very fact weak.

The Church hails with joy and follows with her maternal blessing every method of guidance and care which aims at a wise and orderly evolution of particular forces and tendencies having their origin in the individual character of each race, provided that they are not opposed to the duties incumbent on men from their unity of origin and common destiny.

After Pius XII his successor, John XXIII, took up this matter first in his Christmas message of 1959, as we have seen in the last chapter. Two years later, in his celebrated encyclical *Mater et Magistra:*

> The progress of science and technology in all aspects of life multiplies and increases the relationships between political communities and hence renders their interdependence ever more profound and vital.
>
> As a result, it can be said that problems of any importance, whatever their content be, scientific, technical, economic, social, political or cultural, present today supranational and often world-wide dimensions.

> Hence, the different political communities can no longer adequately solve their major problems in their own surroundings and with their own forces, even though they be communities which are notable for the high level and diffusion of their culture, for the number and industriousness of their citizens, for the efficiency of their economic systems, and the vastness and the richness of their territories. Political communities react on each other; and it may be said that each succeeds in developing itself by contributing to the development of the other. Hence, understanding and cooperating are so necessary.

And again in the encyclical *Pacem in Terris* (1963):

> Recent progress in science and technology has profoundly affected human beings and influenced men to work together and live as one family. There has been a great increase in the circulation of ideas, of persons and goods from one country to another, so that relations have become closer between individuals, families and intermediate associations belonging to different political communities, and between the public authorities of those communities.
>
> At the same time the interdependence of national economies has grown deeper, one becoming progressively more closely related to the other, so that they become, as it were, integral parts of the one world economy. Likewise, the social progress, order, security and peace of each country are necessarily connected with the social progress, order, security and peace of all other countries.
>
> At the present time no political community is able to pursue its own interests and develop itself in isolation, because the degree of its prosperity and development is a reflection and a component part of the degree of prosperity and development of all the other political communities.
>
> The unity of the human family has always existed because its members were human beings, all equal by virtue of their natural dignity. Hence, there will always exist the objective need to promote in sufficient measure the universal common good, that is, the common good of the entire human family.

International Justice

The progress of *socialization*, which is a natural consequence of the social nature of man and which brings about a growing social interdependence, was spoken of by John XXIII in *Mater et Magistra*,[3] as well as the pastoral

3 "These developments in socialization are at once both a symptom and a cause of the growing intervention of public authorities in matters which, since they pertain to the more intimate aspects of personal life, are of serious moment and not without danger. Such for example, are the care of health, the instruction and education of youth, the choice of a personal career, the

constitution *Gaudium et Spes* (1965) of the Second Vatican Council. Socialization occurs not only among the individuals of each political community, but also among the peoples of the international community. In so far as this process works towards a more vital and *juridical* embodiment of the fundamental unity of the human family, it is morally right and healthy: economic and cultural ties gradually leading towards political unification of all the peoples of the earth. But this requires an international morality based on the natural law, i.e. applicable to all peoples:

> The salvation of peoples does not come from external means, from the sword which can impose conditions of peace but does not create peace. The energies which will renew the face of the earth must come from the inner spirit of man. The new world order in national and international life, once the ongoing bitter and cruel strife (World War II) comes to an end, will not henceforward be based on the quicksands of changeable and ephemeral norms at the mercy of collective and individual egoism. They should rather be based on the unbroken foundation, the unshakable rock of natural law and divine revelation.[4]

The expansion of European colonization from the 15th century onwards moved Christian theologians to take a special interest in St. Thomas Aquinas' concept of the "right of peoples" (*ius gentium*) as the factual explicitation of natural right (see Chapter 5 above: Subject and Foundation of Right), and so lay the foundation for an ethical and juridical elaboration of international law. Prominent among them were the Catholic thinkers of the 16th and 17th centuries: Vitoria, Soto, de las Casas, Suarez, Vazquez, Bellarmine, etc. Their efforts were directed to prevent the exploitation of the colonized peoples, since all men are fundamentally equal in their rights and duties: it was the failure to implement their wise ethical and legal philosophy that led to cases of exploitation.

The essentials of this philosophy are that international law must be based on the natural law. Since relations between persons are ruled by natural law, relations between nations must be so too, because nations are natural communities. In fact, a natural society or community, and even an "artificial" society (see Chapter 8 above) may be called a *moral person*, as distinct from the physical person of the individual. Therefore, there are also relations of *justice and friendship* between nations: morality comes into the international scene.

way and means of rehabilitating or assisting those handicapped mentally or physically. But this trend also indicates, and in part follows, from that human and natural inclination, scarcely resistible, whereby men are impelled voluntarily to enter into association in order to attain objectives which each one desires, but which exceed the capacity of single individuals. This tendency has given rise, especially in recent years, to organizations and institutes in both national and international levels which relate to economic and social goals, to cultural and recreational activities, to athletics, to various professions, and to political affairs."

4 Pius XII enc. *Summi Pontificatus* (1939).

The *legal positivists* of the 19th century (see Chapter 5 above: Morality and Legality) reduced international law (as well as all law) to positive laws, i.e. the making of actual treaties and agreements. The futility of this approach is amply demonstrated by the escalation of international conflicts in the 20th century. Unless a (supranational) natural law, to which all positive laws should conform, is acknowledged by all, no international peace and harmony can be guaranteed. National sovereignty can no longer be considered as an absolute right, as it is limited by the international or universal common good, much in the same way as the right of private property (which according to St. Thomas Aquinas belongs to the *ius gentium*, and therefore is subordinated to the *natural right* of all men to all the material goods of the earth) is limited by the requirements of the common good of society.

John XXIII explains this in *Pacem in Terris* (1963):

> Fickleness of opinion often produces this error, that many think that the relations between men and states can be governed by the same laws as the forces and irrational elements of the universe, whereas the laws governing them are of quite a different kind and are to be sought elsewhere, namely, where the Father of all things wrote them, that is, in the nature of man.
>
> By these laws men are most admirably taught, first of all, how they should conduct their mutual dealings among themselves, then how the relationships between the citizens and the public authorities of each state should be regulated, then how states should deal with one another, and finally how, on the one hand individual men and states, and on the other hand the community of all peoples, should act towards each other, the establishment of such a world community of peoples being urgently demanded today by the requirements of the universal common good. . . .
>
> Our Predecessors have constantly maintained and We join them in reasserting, that political communities are reciprocally subjects of rights and duties. This means that their relationships also must be harmonized in truth, in justice, in a working solidarity and in liberty. The same moral law which governs relations between individual human beings serves also to regulate the relations of political communities with one another.

Related Issues: Non-Intervention, Colonialism and War

The morality of non-intervention was hotly debated in the 19th century: whether a nation may have the right or the duty to intervene in the affairs of another nation, with or without force.

If a natural law morality is followed, the criteria to be applied would be substantially the same as those applying to relations between individuals in a social context, substituting *nation* for *individual,* and *international* for *social,* although of course, this raises the problem of an international authority.

Colonialism has acquired a bad meaning: the exploitation of one country by another. But colonization *per se* is not necessarily bad if it works for the development, i.e. for the achievement of the common good of the people concerned.

As for war, the unprecedented bloodbaths of the 20th century have highlighted its evil in all its stark poignancy. This is what led Pope Paul VI to appeal to all the peoples of the earth, in his address to the United Nations Organizations in New York (October 1965), *never again* to resort to arms in order to solve their differences, and to write his encyclical *Populorum Progressio* two years later.

The question is whether an evil such as this may be ever tolerated to avoid a greater evil. The existence of nuclear weapons makes this question increasingly more critical.

St. Thomas Aquinas[5] formulated three conditions for a *just* war:

1. Waged by proper authority;
2. A just cause;
3. Right intention: avoid evil and promote good.

Subsequently, due to the increasing participation of the people in government, a fourth condition was added: the backing of the people, also taking into account, due to the growth of nationalism (see previous chapter), the tendency of wars to become *total* wars, i.e. involving whole peoples, not just their armies.

These conditions are becoming more and more difficult to fulfill, especially if we take into account the abovementioned existence of weapons with the capacity to wipe out mankind.

Nevertheless, this would still not be sufficient to justify an outright *pacifism*, i.e. peace at *any* cost, since what matters to man *ultimately* is not peace on earth (the temporal or immanent common good), but his eternal happiness in the life after death (the eternal or transcendent common good). Of course, as we have seen in the first chapters above, he must do his utmost for the constant improvement of earthly society, since this is the God-given means to attain to his last end, which is happiness in the enjoyment of God as the Supreme Good, but if ever there is a conflict of loyalties, the temporal must yield to the eternal, as the example of martyrs like St. Thomas More illustrates.

Actual Achievements and Prospects

The First International Declaration of Rights (as distinct from bilateral pacts) was signed in Paris in 1856.

In 1899 in The Hague, another international convention drew up a more detailed code and set up an International Court.

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5 Cf. *Summa Theologiae,* II-II, 40, 1.

In 1907, The Hague Convention was ratified in London.

After World War I, the Geneva Convention took place in 1919, and was ratified at The Hague in 1920, and at Washington in 1922.

There followed the foundation of the League of Nations, which was unable to prevent the outbreak of World War II.

During World War II, in 1941, the Atlantic Charter between Britain and the United States paved the way for the foundation of the United Nations Organization in San Francisco at the end of the war.

These achievements, although meager in comparison with what still remains to be done for the advancement of the universal common good, cannot be underrated. The popes themselves have praised and encouraged them, with Pope Paul VI personally addressing the General Assembly of the United Nations in October 1965, just before the closing of the Second Vatican Council.

But the future of the universal common good remains uncertain to the extent that the natural law is not universally acknowledged,[6] and the ideologies of liberalism and socialism in all their variations (see Chapter 2 above) continue to corrode mankind. The bleeding bucketfuls of human remains of victims of intrauterine murders, produced by the selfish enemies of human life (whose *scientific* weapons are sterilization, contraception, abortion, and euthanasia), along with the brutal leveling and regimentation of the masses, are the signs of a much more dreadful war than any armed conflict we have known.

In the words of the Second Vatican Council:[7]

> Whatever is opposed to life itself, such as any type of murder, genocide, abortion, euthanasia, or willful self-destruction, whatever violates integrity of the human person, such as mutilation, torments inflicted on body or mind, attempts to coerce the will itself; whatever insults human dignity, such as subhuman living conditions, arbitrary imprisonment, deportation, slavery, prostitution, the selling of women and children; as well as disgraceful working conditions, where men are treated as mere tools for profit, rather than as free and responsible persons; all these things and others of their like are infamies indeed. They poison human society, but they do more harm to those who practice them than those who suffer from the injury. Moreover, they are a supreme dishonor to the Creator.

6 An art critic wrote in 1958 (Joyce Cary, *Art and Reality*):

> "Human nature and its social relations present certain constants. Asylums and jails are full of people who have forgotten or ignored them. On the other hand, we can still comprehend and enjoy Paleolithic art and Homer. Homer's heroes had the same kind of nature as our own."

What is disturbing is to see such people not in asylums and jails, but in legislative, judicial and executive positions of government.

7 Pastoral Constitution *Gaudium et Spes* (1965), nos. 27 and 37.

> Sacred Scripture teaches the human family what the experience of the ages confirms: that while human progress is a great advantage to man, it brings with it a strong temptation. For when the order of values is jumbled, and bad is mixed with the good, individuals and groups pay heed solely to their own interests, and not to those of others. Thus it happens that the world ceases to be a place of true brotherhood. In our own day, the magnified power of humanity threatens to destroy the race itself.
>
> For a monumental struggle against the powers of darkness pervades the whole history of man. The battle was joined from the very origins of the world and will continue until the last day, as the Lord has attested (cf. Mt. 24:13; 13:24-30 and 36-43). Caught in this conflict, man is obliged to wrestle constantly if he is to cling to what is good. Nor can he achieve his own integrity without valiant efforts and the help of God's grace.
>
> That is why Christ's Church, trusting in the design of the Creator, acknowledges that human progress can serve man's true happiness. Yet she cannot help echoing the Apostle's warning: *Be not conformed to this world* (Rom. 12:2). By the world here is meant that spirit of vanity and malice which transforms into an instrument of sin those human energies intended for the service of God and man.

The future of human society is more than ever in the hands of the personal freedom and sense of responsibility of *homo sapiens:* the wise man who honestly recognizes and accepts his creaturehood (the depth of his nothingness: a mere participation in being is like nothing in comparison with the fullness of being, which is God), along with his sublime vocation of cooperating with God's work with his own energies (God-given as well) thus perfecting this world, and finally achieving a perfect union with God by contemplation and love in the true paradise after this mortal life.

BIBLIOGRAPHY

Allen, J. W., *A History of Political Thought in the Sixteenth Century.* London: Methuen, 1960.

Aquinas, St. Thomas. *On the Truth of the Catholic Faith (Summa Contra Gentiles).* New York: Doubleday, 1957.

_____. *Opera Omnia.* Turin, Italy: Marietti.

_____. *The Summa of St. Thomas Aquinas (Summa Theologiae).* New York: Benziger, 1947.

Aristotle. *Politics.* In *The Great Books.* Chicago: Univ. of Chicago Press & Encyclopedia Britannica, 1952.

Cardona, C. *La metafísica del bien común.* Madrid: Rialp, 1966.

Daly, C.B. *Morals, Law and Life.* Chicago: Scepter, 1966.

Derisi, O. N. *Los fundamentos metafísicos del orden moral.* Madrid: C. S. I. C., 1948.

Escrivá de Balaguer, J. *Christ Is Passing By.* Manila: Sinag-tala, 1974.

_____. *Conversations with Msgr Escrivá de Balaguer.* Shannon, Ireland: Ecclesia Press, 1972.

_____. *The Way.* Manila: Sinag-tala, 1975.

Fabro, C. *God in Exile: Atheism.* Westminster, MD: Newman Press, 1968.

Farrell, W. and Healy, M.J. *My Way of Life (Pocket Edition of St. Thomas).* New York: Confraternity of the Precious Blood, 1952.

Gilson, E. *Being and Some Philosophers.* Toronto: Pontifical Institute of Medieval Studies, 1960.

_____. *The Christian Philosophy of St. Thomas Aquinas.* London: V. Gollancz, 1952.

_____. *Elements of Christian Philosophy.* New York: Doubleday, 1960.

_____. *A History of Philosophy* (Gen. ed.). New York: Random House, 1966.

_____. *The Spirit of Thomism.* New York: Harper & Row, 1966.

Hoeffner, J. *Fundamentals of Christian Sociology.* Cork, Ireland: Mercier Press, 1962.

Ibañez Langlois, J. M. *El Marxismo: vision crítica.* Madrid: Rialp, 1973.

Irish Bishops. *Christian Marriage (Lenten Pastoral).* C.T.S., 1969.

Koninck, C. de. *De la primacia del bien común contra los personalistas.* Madrid: Ediciones Cultura Hispánica, 1952.

Manser, G. M. *La esencia del tomismo.* Madrid: C.S.I.C., 1953.

Maritain. J. *Christianity and Democracy.* New York: Scribner's, 1944.

_____. *Man and the State.* Chicago: Univ. of Chicago Press, 1951.

_____. *The Person and the Common Good.* New York: Scribner's, 1947.

_____. *The Rights of Man and Natural Law.* New York: Scribner's, 1943.

_____. *Scholasticism and Politics.* New York: Macmillan, 1940.

Messner, J. *Social Ethics.* St. Louis, MO: Herder, 1965.

Mill, John Stuart. *Considerations on Representative Government.* London: Parker, Son, and Bourn, 1861.

Ocáriz, F. *El Marxismo.* Madrid: Palabra, 1975.

Piñon, M., O.P. *Religion and Religions.* Quezon City: Dominican House of Studies, 1980-82.

Plato. *Dialogues.* In *The Great Books.* Chicago: Univ. of Chicago Press & Encyclopedia Britannica, 1952.
Schall, J.V., S.J. *Christian and Politics.* Boston: St. Paul Editions, 1981.
Sheed, F.J. *Communism and Man.* New York: Sheed & Ward, 1962.
_____. *Society and Sanity.* New York: Sheed & Ward, 1953.
Torre, J. M., de. *The Church Speaks on Marriage and Celibacy.* Manila: Sinag-tala, 1976.
_____. *The Leaven of the Gospel in Secular Society.* Manila: Vera-Reyes, 1983.
Torre, J. M., de. *Marxism, Socialism and Christianity* (2nd ed.). Manila: Sinag-tala, 1983.
_____. *Social Morals: The Church Speaks on Society.* Manila: Center for Research and Communication, 1975.
Urteaga, J. *God and Children.* Manila: Sinag-tala, 1974.
Vann, G. *The Divine Pity: A Study in the Social Implications of the Beatitudes.* London: Collins-Fontana Books, 1945, 1956.
Vatican II, The 16 Documents of. Pasay, Philippines: St Paul's Publications, 1967.

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1. *My Words Will Not Pass Away.* Sinag-tala, 1974
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26. *Historical Genesis of Modern Science.* Gabriel Books, 2010
27. Occasional Papers. Gabriel Books, 2011